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NEW SOUTH WALES.

VOTES

AND

PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY

DURING THE SESSION

OF

1875-6,

WITH THE VARIOUS DOCUMENTS CONNECTED THEREWITH.

IN SIX VOLUMES.

VOL. VI.

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1876.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

VOTES AND PROCEEDINGS.

SESSION 1875-6.

(IN SIX VOLUMES.)

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(Arranged as the Papers should be bound.)

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LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

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1876.

NEW SOUTH WALES.

TWENTY-FIRST ANNUAL REPORT

OF THE

POSTMASTER GENERAL,

ON THE DEPARTMENTS UNDER HIS MINISTERIAL CONTROL,

BEING THAT FOR THE YEAR

1875.

Presented to Parliament, by Command.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1876.

THE POSTMASTER GENERAL TO HIS EXCELLENCY THE GOVERNOR,

TRANSMITTING THE

ANNUAL REPORT FOR THE YEAR 1875, ON THE POST OFFICE, MONEY ORDER, GOVERNMENT SAVINGS' BANK, AND ELECTRIC TELEGRAPH DEPARTMENTS.

SIR,

I have the honor to transmit to your Excellency the Twenty-first Annual Report on the Departments under the Ministerial control of the Postmaster General.

I.—POST OFFICE DEPARTMENT.

INLAND SERVICE.

During the year 1875 1,777 miles of new postal routes were opened, embracing the following lines, viz. :—

- From Molonglo to Foxlow, three times a week.
- „ Armidale to Oban, once a week.
- „ Picton to Bargo, twice a week.
- „ Lawrence to Tabulam, once a week.
- „ Taralga to Bannaby, once a week.
- „ Wellington to Gulgong, once a week.
- „ Meadow Flat to Mitchell's Creek, twice a week.
- „ Windsor to Wilberforce, six times a week.
- „ Mundooran to Baradine, once a week.
- „ Lismore to Kynnumboon, once a week.
- „ Wood's Flat to Darby's Falls, twice a week.
- „ Ilford to Crudine, once a week.
- „ Caloola to Bartlett's Camp, G.W.R., three times a week.
- „ Tinonee to Kimbriki, twice a week.
- „ Pine Ridge to Colly-blue, twice a week.
- „ Myall River to Hawk's Nest, once a week.
- „ Wallsend to Cooranbong, twice a week.
- „ Lithgow to Eskbank, seven times a week.
- „ Somerton to Keepit, twice a week.
- „ Wiseman's Ferry to Lower Hawkesbury, once a week.
- „ Wollar to Kerrabee, twice a week.
- „ Narrabri to Coonabarabran, once a week.
- „ Lismore to Tirrania, once a week.
- „ Molong to Meranburn, once a week.
- „ Bingera to Inverell, once a week.
- „ Boggabri to Barraba, once a week.
- „ Molong to Cheeseman's Creek, three times a week.
- „ Dungaree to Mudgee, twice a week.
- „ Mogil Mogil to Currawillinghi, once a week.
- „ Colly-blue to Tally-ho, twice a week.
- „ Gosford to Blackwall, twice a week.
- „ Breadalbane to Merrill, twice a week.
- „ Merriwa to Craeton, twice a week.
- „ Lismore to Gundurimba, twice a week.
- „ Wilcannia to Mount Gipps, once a fortnight.
- „ Grenfell to Marsdens, twice a week.
- „ Wooré to Crookwell, once a week.
- „ Urana to Narrandera, once a week.
- „ Narrandera to Rankin's Springs, once a week.
- „ Rankin's Springs to Wollongough, once a week.

From

From West Kempsey to Inghliston, once a week.
 „ Bringelly to Greendale, six times a week.
 „ Merimbula to Candelo, on arrival of steamer at Merimbula (re-established).
 „ Kangaroo Valley to Wattamolla, twice a week.
 „ Moorwatha to Goombargona, twice a week.
 „ Hexham to Raymond Terrace, three times a week.
 „ Millfield to Mount Vincent, three times a week.
 „ Camden Haven to Laurieton, twice a week.
 „ Ellenborough to Walcha, once a week.
 „ Tomerong to Huskisson, three times a week.
 „ Bigga to Greenmantle, once a week.
 „ Queanbeyan to Gundaroo, once a week.
 „ Blandford to Timor, once a week.

It was deemed expedient to discontinue 91 miles of postal route, viz. :—

Between Yetholme and Mitchell's Creek, twice a week.
 „ Pitt Town and Wilberforce, six times a week.
 „ Casino and Kynnumboon, once a week.
 „ Arthurville and Obley, once a week.

The extent of postal route traversed in the Colony on the 31st December, 1875, was 17,670 $\frac{1}{2}$ miles,
 viz. :—

On horseback	...	...	...	...	11,829 miles.
By coach	...	...	...	...	5,406 $\frac{1}{2}$ „
By railway	...	...	...	...	435 „

The opening of the railway to Gunning enabled the Department to afford an acceleration of the mails in the principal portions of the Southern District.

The following increased accommodation on existing lines was afforded during the year 1875, viz. :—

Between Casino and Codrington, once a week, additional communication.
 „ Stroud and Tinonee, once a week, „
 „ Tinonee and Port Macquarie, once a week, „
 „ Moree and Kunopia, once a week, „
 „ Bourke and Hoodsville, once a fortnight, „
 „ Murrurundi and Tambar Springs, once a week, „
 „ Kynnumboon and Tweed Junction, once a week, „
 „ Binda and Reid's Flat, once a week, „
 „ Wagga Wagga and Albury, three times a week, „
 „ Albury and Dight's Forest, once a week, „
 „ Tinonee and Dingo Creek, once a week, „
 „ Port Macquarie and Huntingdon, once a week, „
 „ West Kempsey and Warneton, once a week, „
 „ Telegraph Point and Rolland's Plains, once a week, „
 „ Gresford and Eccleston, once a week, „
 „ Stanborough and Tingha, once a week, „
 „ Moree and Warialda, once a week, „
 „ Goonoo Goonoo and Currabubula, once a week, „
 „ Inverell and Warialda, once a week, „
 „ Ashford and Bonshaw, once a week, „
 „ Yass and Murrumbateman, once a week, „

The communication between Falconer and Oban was reduced from twice to once a week.

The number of miles travelled in the year 1875 was 3,787,757, being an increase of 203,420 miles on that of the year 1874.

The number of Post Offices established during the year 1875 was 72, viz. :—

Arthurville	Frogmore	North Wardell
Barringun	Goombargona	Native Home
Bannaby	Greenmantle	Noucome
Bethungra	Gualta	Onebygamba
Bungwall Flat	Greendale	Pallamallawa
Bulgandramine	Gerogery	Ponto
Blackville	Goolma	Pejar
Blackwall	Huskisson	Queen Charlotte's Vale
Bundella	Harwood Island	Rocky Glen
Bartlett's Camp, G.W.R.	Hawk's Nest	Rankin's Springs
Barrangarry	Herding Yard Creek	Sutton
Bredbo	Ingliston	Timor
Capertee	Kingstown	Tallyho
Camden Haven	Keepit	Timbribungie'
Cheeseman's Creek	Kimbriki	Tyndale
Craeton	Kurrajong Heights	Tirrania
Cungegong	Lincoln	Tichborne
Coree	Lower Hawkesbury	Wallaceton
Colly-blue	Laurieton	Willson's Downfall
Crudine	Musgrave	Wallendbeen
Eskbank	Merrilla	Woomargama
Esrom	Minore	Willeroon
Fallbrook	Maryvale	Wattamolla
Foxlow	New Pipeclay	Yarras

The number re-established was 8, viz., at—

Bargo	Collarenebri
Cobbadah	Gundurimba
Cross Roads	Tea-pot Swamp
Collington	Willow-tree

The number discontinued was 9, viz. :—

Bookookoorara	Ournie
Euroka	Tomerong
Fallbrook	Tea-pot Swamp
Hoodsville	Waterloo
Mutton's Falls	

making an actual increase of 71 in the number of Post Offices. In the Appendix will be found a list of Appendix A. the 752 Post Offices in the Colony on the 31st December, 1875.

Receiving offices were established at the following places, viz. :—

Bumberry	Ournie
Botany Road	Parkesbourne
Darby's Falls	Turlinjah
Green Gully	

These receiving offices have been opened to meet the necessities of residents at places not yet of sufficient importance to justify the establishment of regular Post Offices. A small consideration is allowed by the Department to the receiving office-keeper in each instance for the trouble involved in taking charge of correspondence under special authority of the owners. In this way the residents procure their letters without having to travel long distances to a Post Office, while the cost to the Department is inconsiderable.

No less than 143 changes of Postmasters took place during the year.

At St. Leonards and at Redfern the change of Postmasters effected involved an entire change in the conduct of these offices, which had hitherto been in charge of Postmasters who combined private business with the transaction of the Postal duties. Under the new arrangements these offices were placed under the management of officers whose whole attention is devoted to the performance of the Postal and Telegraphic work.

10 additional large iron letter receivers, similar to those hitherto in use, were erected at the following places, viz. :—

- 1 Campbell's Hill, West Maitland.
- 1 Kirribilli Road, St. Leonards.
- 1 College and Cameron Streets, Balmain.
- 1 Opposite Parliament House, Macquarie-street.
- 1 Ocean-street and Point Piper Road, Woollahra.
- 1 Opposite the Sydney Town Hall.
- 1 " Captain Cook Hotel," Park Road.
- 1 Good-street and Main Western Road, Parramatta.
- 1 Shadforth-street and Old South Head Road, Paddington.
- 1 Albion and Riley streets, Surry Hills.

It was also found needful to remove two letter-receivers, viz. :—

One from Wynyard Square, as unnecessary, to corner of Liverpool and Barcom streets, Paddington; and the other from St. Paul's Church at West Maitland to a new site at the corner of High and Abbott streets, in the same township.

The site of one of the Sydney iron newspaper receivers was changed from the corner of George and Bathurst streets to a position opposite the new Town Hall.

A smaller and less expensive kind of iron letter-receiver, suitable for affixing to lamp and telegraph posts, was introduced, and four of these were placed as follows :—

- 1 Piper-street, Balmain Road, Leichhardt.
- 1 School of Arts, Pitt-street.
- 1 Union-street, Pyrmont.
- 1 Royal Hotel.

For the convenience of residents in the respective localities, arrangements were made for posting-boxes at the establishment of Mrs. Hinchcliffe, at Waterloo, and at that of Mr. James Campbell, Pitt-street, Redfern.

On the 31st December the number of iron letter-receivers erected in the Colony (including both large and small sizes) was 96, the number of other kind of receiving-boxes 4, and the number of iron newspaper-receivers 8.

Appendix B
Twenty-seven additional licenses were issued for the sale of postage-stamps to persons other than postmasters. A return is given in the Appendix of the number of persons holding these licenses throughout the Colony.

There were nine additional letter-carriers employed during the year 1875 in Sydney and its suburbs. The distribution of the letter-carriers throughout the Colony was as follows :—

Sydney and Suburbs	56
Armidale	1
Albury	1
Bathurst	2
East Maitland	1
Goulburn	1
Grafton	1
Hill End	1
Morpeth	1
Mudgee	1
Newcastle	3
Orange	1
Parramatta	2
Parramatta Suburbs	1
Singleton	1
Tamworth	1
West Maitland	2
Windsor	1
Wagga Wagga	1
Wickham and Hamilton	1
Total	80

The following is a statement of the number of persons employed in connection with the Postal Department, exclusive of Mail Contractors:—

Postmaster General	1
Secretary	1
Accountant	1
Superintendent, Mail Branch	1
Chief Clerk, Post Office	1
Cashier	1
Clerks	54
Postal Inspectors	3
Mail Guards	7
Assistant Mail Guards	2
Stampers, Letter-carriers, &c.	132
Country Postmasters	752
Assistant do.	11
Total	967

On the 1st February Mr. Asher A. Day was appointed Superintendent of the Mail Branch as successor to Mr. William Buchanan, who undertook the office of Postal Inspector.

The following return will afford some idea of the sanitary condition of the Department during 1875, a year rather marked for its comparative unhealthiness throughout the Colony:—

No. of Officers absent.	Aggregate period.	Average period for each Officer.
36 Clerks	408 days.	11 days.
15 Sorters	360 "	24 "
27 Letter-carriers	320 "	12 "
18 Messengers, guards, grooms, &c.	246 "	14 "

The Postal Inspectors during the year 1875 travelled over and inspected 12,424 miles of mail route and visited the undermentioned post offices, viz.:—

Adelong	Bridgeman	Dapto
Adelong Crossing-place	Belford	Deniliquin
Albion Park	Branxton	Dungaree
Albury	Booral	Dunkeld
Annandale	Barrington	Dubbo
Appin	Brookfield	Dandaloo
Apple-tree Flat	Blandford	Deepwater
Anvil Creek	Barranjoey	Dundee
Armidale	Campbelltown	Dungowan
Balmain	Canberra	Dingo Creek
Bathurst	Canowindra	Dungog
Bega	Carcoar	Eugowra
Blayney	Charcoal Creek	Evans Plains
Bomadary	Concord	Ennis
Bookham	Coolac	Ellenborough
Botany	Corowa	East Kempsey
Bowna	Cudgegong	East Maitland
Bowning	Cullen Bullen	Fig-tree
Broughton's Creek	Cudal	Forbes
Bulli	Cannonbar	Falconer
Breadalbane	Coonamble	Frederickton
Bungendore	Coraki	Garryowen
Bungowannah	Codrington	Germanton
Burrawang	Carlisle Gully	Gerogery
Burwood	Cundletown	Gerringong
Billabong	Croki	Gilmore
Black Rock	Camden Haven	Ginninderra
Bookookoorara	Clarence Town	Goulburn
Bendemeer	Copmanhurst	Gundagai
Bowling-alley Point	Crudine	Gunning

Glen Alice

Glen Alice	Murga	Tomerong
Guyong	M'Guigan's	Tumberumba
Gilgandra	Molong	Tumut
Grafton	Maryland	Tempe
Glen Innes	Moonbi	Toogong
Gloucester	Murrurundi	Tweed Junction
Ghinni Ghinni	Myall River	Tenterfield
Gladstone	Morpeth	Tabulam
Hillas Creek	Narrandera	Timbarra
Howlong	Newtown	Tent Hill
Hanging Rock	Nowra	Table Land
Haydonton	North Willoughby	Tamworth
Huntingdon	North Grafton	Tinonee
Ilford	Nundle	Taree
Ironbarks	Orange	Telegraph Point
Jamberoo	Paddington	Uralla
Jugiong	Parramatta	Urana
Kangaroo Valley	Parkes	Ulladulla
Kiama	Port Macquarie	Upper Myall
Kelso	Queanbeyan	Vittoria
Kimbriki	Queen Charlotte's Vale	Vegetable Creek
Kempsey	Raymond Terrace	Wagga Wagga
Kynnumboon	Rankin's Springs	Wandandian
Lake Cudgellico	Redfern	Walbundrie
Little Billabong	Rylstone	Wattamolla
Limekilns	Raglan	Wild's Meadow
Lidsdale	Ruby Creek	Wollongong
Lucknow	Rainbow Reach	Wollongough
Lionsville	Sheet of Bark	Woodhouselee
Lunatic Reefs	Shell Harbour	Woonona
Limeburners' Creek	Shepard's Town	Wattle Flat
Langworthy's	South Gundagai	Wallerawang
Marrickville	St. Leonards	Warren
Marsden's	St. Peters	Wellington
Merimbula	Sofala	Watson's Bay
Merrilla	Shepherd's Creek	Woodburn
Michelago	Solferino	Wyrallah
Milton	Singleton	Wallabadah
Molonglo	St. Clair	Wingham
Moss Vale	St. Mary's	Woodside
Mulwala	Stroud	West Kempsey
Murraguldrie	Seaham	Warneton
Murrumbateman	Summer Island	West Maitland
M'Donald Town	Tarago	Yass
Manly	Tarcutta	Yattheyatah
Mudgee	Thurgoona	Yetholme
Meadow Flat	Tocumwall	

Some changes affecting in an important degree the Inland Mail Service, and which I think may be regarded as improvements, were introduced in the year 1875. Amongst these may be mentioned:—

- 1st. The extension of the letter delivery at the windows of the General Post Office to 9 p.m., or for one hour later than previously.
- 2nd. The alteration of the Railway Time Tables, and in the hours of arrival at Sydney of steamers from Newcastle, which caused a general change in the time-tables for the mails from the Northern Districts to be brought into operation on the 2nd June, the mails from that date having been delivered in Sydney by the morning delivery at 9 o'clock instead of arriving the previous afternoon, and the bulk of the correspondence remaining undelivered at the head office all night. It is of course obvious that the change enabled the residents in the inland towns affected to have a longer interval for replying to their correspondence.

3rd. The additional clearances of all letter receiving boxes located within the city boundary at 8 p.m. daily (Sundays excepted), which enabled the Department to forward the letters posted therein up to that hour in the mails despatched by steamers leaving the same evening at 11 p.m.

4th. The introduction on the 1st October of the postal card system, which provided facilities for postal communications not previously afforded.

FOREIGN SERVICE.

During nearly the whole of the year 1875 the mail conveyance between Sydney and San Francisco was performed by the Australasian Steam Navigation Company under special contract arrangements entered into for the purpose of preserving the continuity of this service until a fresh permanent contract could be made. In the meanwhile tenders for a permanent service were invited in England and in the Colonies, and in the month of June, 1875, Sir Daniel Cooper, Baronet, who represented the Colony of New South Wales at London, telegraphed the following particulars of the tenders received, viz. :—

Route A.—From San Francisco to New South Wales and New Zealand alternately direct, and *vice versa*, calling at Honolulu and Kandavau. The mails to and from the Colony not directly served being transhipped at Kandavau, and conveyed from and to such Colony.

German Lloyds, £120,000.
Macgregor, £106,000.
Pacific Mail Steamship Co., £120,000.

Or Route B.—From San Francisco to Sydney direct, and from New Zealand to San Francisco direct, the mails to New Zealand being transhipped at and forwarded from Kandavau, and the mails from Sydney being forwarded to and transhipped at Kandavau.

German Lloyds, £120,000.
Macgregor, £140,000.
Pacific Mail Steamship Co., £89,950.

Or Route C.—From Sydney to Auckland, Honolulu, and San Francisco, and *vice versa*, the contractors conveying the mails from Auckland, Napier, Wellington, and Lyttleton, to Port Chalmers, and *vice versa*.

German Lloyds, £91,000.
Macgregor, £104,000.
American Pacific Mail Steamship Co., £74,950.

The cheapest tender for the B route (described above), viz., that of the Pacific Mail Steamship Company, was accepted, and the new service commenced in November, 1875.

The following return, showing the arrival and departure of the San Francisco Packets, will afford particulars as to the manner in which the service was performed during the year 1875 :—

STATEMENT showing the dates of Arrival and Departure of the San Francisco Mail Packets, the time occupied in the transit of Mails, &c.

Inward.

Name of Steamer.	Due at Sydney.	Arrival at Sydney.	Number of days from San Francisco.	Time occupied in transit of Mails from London to Sydney.	Under what Contract and arrangements.
Macgregor <i>via</i> Auckland.....	7 Jan. ...	11 Jan. ...	33	55	A.S.N. Co., 3 months contract.
Mikado do	4 Feb. ...	6 Feb. ...	30	53	do do
Cyphrenes do	4 March ...	15 March ...	35	62	do do
City of Melbourne do	3 April ...	1 April ...	28	51	A.S.N. Co., 7 months contract.
Macgregor do	1 May ...	2 May ...	32	54	do do
Mikado do	29 May ...	2 June ...	31	57	do do
Cyphrenes do	26 June ...	25 June ...	31	52	do do
City of Melbourne do	24 July ...	22 July ...	30	51	do do
Macgregor do	21 Aug. ...	21 Aug. ...	32	53	do do
Mikado do	18 Sept. ...	15 Sept. ...	29	50	do do
Cyphrenes do	16 Oct. ...	15 Oct. ...	31	52	A.S.N. Co., 4 months contract.
City of Melbourne do	13 Nov. ...	9 Nov. ...	28	49	do do
Macgregor do	11 Dec. ...	12 Dec. ...	32	52	do do
Colima do	8 Dec. ...	27 Dec. ...	46	Brought no English mails.	Pacific Mail Steamship Co.

Homeward.

Name of Steamer.	Date of Despatch from Sydney.	Due at San Francisco	Arrived at San Francisco	Number of days to San Francisco	Time occupied in transit of Mails from Sydney to London.	Under what Contract and arrangements.
City of Melbourne <i>via</i> Auckland	16 Jan.	18 Feb.	(Frisco Time) 14 Feb.	30	49	A.S.N. Co., 7 months contract
Macgregor do	14 Feb.	18 Mar.	20 Mar.	35	56	do do
Mikado do	13 Mar.	15 April....	11 April....	30	62	do do
Cyphrenes do	10 April....	13 May	13 May	34	52	do do
City of Melbourne do	8 May	10 June	6 June	30	50	do do
Macgregor do	5 June	8 July	14 July	40	59	do do
Mikado do	3 July	5 Aug.	2 Aug.	31	49	do do
Cyphrenes do	31 July	2 Sept.	3 Sept.	35	57	A.S.N. Co., 4 months contract
City of Melbourne do	28 Aug.	30 Sept.	26 Sept.	30	49	do do
Macgregor do	25 Sept.	28 Oct.	27 Oct.	33	52	do do
Mikado do	23 Oct.	25 Nov.	21 Nov.	30	50	do do
Vasco de Gama do	19 Nov.	16 Dec.	21 Dec.	33	55	Pacific Mail Co.
City of Melbourne <i>via</i> Auckland and Fiji.	20 Dec.	22 Jan.	21 Jan.	33	55	A.S.N. Co., under special arrangement.

Number of days allowed under Time-table for Conveyance of Mails to and from Sydney and San Francisco, *via* Auckland, by Steamers of A.S.N. Co., 33.

Average number of days occupied in the Conveyance of Mails to and from Sydney and London *via* San Francisco :—

Inward.

London to Sydney..... 53 days.

Homeward.

Sydney to London (average for 12 trips, excluding the mail despatched on 13 March only a portion of which reached London owing to the wreck of the Atlantic packet "Schiller")..... 52½ days.

It is not considered that the transit of mails between San Francisco and London is as expeditious as it should be, and steps have been taken with a view of securing an improvement in this respect.

The performance of the service *via* Melbourne and Point de Galle will be seen by the following return, viz. :—

Arrival at Sydney.				Departure from Sydney.			
Name of Vessel.	Actual date.	Actual number of days.		Name of Vessel.	Actual date.	Actual number of days.	
		<i>Via</i> Brindisi.	<i>Via</i> Southampton.			<i>Via</i> Brindisi.	<i>Via</i> Southampton.
Pera (<i>per</i> Ellora)	13 Jan.	47	55	Pera (<i>per</i> Ellora)	24 Jan.	50	57
Nubia "	13 Feb.	50	58	Nubia "	21 Feb.	48	56
Ceylon "	10 Mar.	47	55	Ceylon "	21 Mar.	49	57
China (<i>per</i> Wentworth).....	9 April	49	57	China "	16 April	51	61
Golconda "	6 May	48	56	Golconda "	14 May	51	58
Nubia (<i>per</i> Alexandria).....	1 June	46	54	Nubia "	11 June	53	61
Ceylon "	28 June	45	53	Ceylon "	9 July	66	75
Pera (<i>per</i> Hero)	25 July	44	52	Pera "	6 Aug.	50	59
Golconda (<i>per</i> Ellora)	25 Aug.	47	55	Golconda "	3 Sept.	51	60
Nubia (<i>per</i> Hero)	21 Sept.	46	54	Nubia "	3 Oct.	49	58
Pera (<i>per</i> Singapore)	18 Oct.	45	53	Pera "	31 Oct.	48	56
China (<i>per</i> Somerset).....	16 Nov.	46	54	China "	28 Nov.	50	57
Sumatra "	18 Dec.	50	58	Sumatra "	26 Dec.	49	57

Average

Average number of days occupied in the conveyance of the mails to and from Sydney and London *via* Galle and Melbourne :

Inward <i>via</i> Brindisi	...	...	...	47
Do. Southampton	...	...	...	55
Homeward <i>via</i> Brindisi	...	...	...	51
Do. Southampton	...	...	...	59

The performance of the service *via* Brisbane and Torres Straits may be ascertained from the following statement of the time occupied in the transmission of mails by this route between Sydney and London, viz. :—

Arrival at Sydney.				Departure from Sydney.			
Name of Vessel.	Actual date.	Actual number of days.		Name of Vessel.	Actual date.	Actual number of days.	
		<i>Via</i> Brindisi.	<i>Via</i> Southampton.			<i>Via</i> Brindisi.	<i>Via</i> Southampton.
Somerset	7 Jan.	55	63	Normanby	1 Jan.	58	66
Brisbane	1 Feb.	52	60	Somerset	29 Jan.	58	70
Normanby	6 Mar.	57	65	Brisbane	26 Feb.	57	65
Singapore	31 Mar.	54	62	Normanby	26 Mar.	58	65
Somerset	2 May	58	66	Singapore	19 April	63	70
Brisbane	25 May	53	61	Somerset	17 May	62	69
Normanby	21 June	52	60	Brisbane	14 June	63	70
Singapore	25 July	58	66	Normanby	12 July	63	72
Bowen	16 Aug.	52	60	Singapore	9 Aug.	60	70
Brisbane	11 Sept.	50	58	Somerset	10 Sept.	59	66
Singapore	9 Oct.	50	58	Bowen	8 Oct.	58	67
Somerset	8 Nov.	52	60	Normanby	5 Nov.	58	69
Bowen	7 Dec.	53	61	Brisbane	3 Dec.	76*	76*

* Mails sent *via* Marseilles.

Average number of days occupied in the conveyance of the mails to and from Sydney and London *via* Brisbane and Torres Straits :

Inward <i>via</i> Brindisi	...	...	...	53
Do. Southampton	...	...	...	61
† Homeward <i>via</i> Brindisi	...	...	...	59
† Do. Southampton	...	...	...	68

† Average for 12 trips, excluding the mail despatched on the 3rd December, which was subjected to an extraordinary detention owing to the mail packet "Brisbane" running on shore at Angelica Reef.

REVENUE AND EXPENDITURE.

The revenue of the Post Office Department collected in the year 1875 amounted to £107,761 7s. 10d., being £3,840 1s. 4d. more than the sum collected during the year 1874. The whole revenue for the year was derived from the following resources, viz. :—

Sale of Postage Stamps	...	...	...	...	£105,388	9	7
Fees for private boxes	...	...	...	...	295	11	6
Postage collected on unpaid letters	...	...	...	...	2,077	6	9.
						<hr/>	
						£107,761 7 10	
						<hr/>	

The

The following return shows the number, description, and value of Postage Stamps issued at the General Post Office during the years 1874 and 1875 :—

Number.		Description.	Value.	
1874.	1875.		1874.	1875.
7,482,000	6,016,800	Penny.....	£ 31,175 0 0	£ 25,070 0 0
7,179,720	7,934,040	Two-penny.....	59,831 0 0	66,117 0 0
106,880	53,560	Three-penny.....	1,336 0 0	669 10 0
104,010	120,270	Four-penny.....	1,733 10 0	2,004 10 0
2,544	3,292	Five-penny.....	53 0 0	68 11 8
373,300	370,600	Six-penny.....	9,332 10 0	9,265 0 0
5,450	7,000	Eight-penny.....	181 13 4	233 6 8
11,600	19,560	Nine-penny.....	435 0 0	733 10 0
13,606	7,830	Ten-penny.....	566 18 4	326 5 0
100,790	78,990	Shilling.....	5,039 10 0	3,949 10 0
4,122	4,282	Five-shilling.....	1,030 10 0	1,070 10 0
14,080	11,200	Newspaper wrappers.....	58 13 4	46 13 4
1,700	1,000	Envelopes—one penny.....	7 13 0	4 10 0
.....	128,786	Post cards.....	.....	536 12 2
			£110,780 18 0	£110,095 8 10

It will be seen from the above return to what extent the postal card system (introduced on the 1st October and before alluded to in this Report) was availed of. Of course the novelty of the system was the main cause of so large a number of postal cards as 128,786 being used in the concluding three months of the year, and it cannot be expected that the demand will continue at the same rate, but I have no doubt that these cards will prove exceedingly useful, and that their introduction will be considered a progressive measure of the Department.

The following comparative return will show to what extent the revenue of the Postal Department has been affected by the reduction of the postage on intercolonial letters at various times :—

Year.	No. of Letters posted.	At per ½-oz.	Revenue.
1869.....	305,000	6d.	£ 8,387
1870.....	303,800	6d.	8,354
1871.....	334,000	3d.	4,592
1872.....	380,500	3d.	5,225
1873.....	419,500	3d.	5,768
1874.....	488,600	2d.	4,479
1875.....	537,200	2d.	4,924

On the 27th May, 1875, the extra postage of 1d., levied by Government order, dated 13th February, 1874, upon all letters, irrespective of weight, transmitted from this Colony *via* Galle and Melbourne, was repealed.

The expenditure of the Department during the year 1875 amounted to £196,367 15s. 10d., or £33,048 7s. 10d. in excess of that of the year 1874. The expenditure is made up as follows, viz. :—

Salaries.....	£50,291 16 2
Contingencies.....	7,164 5 7
Conveyance of mails.....	138,911 14 1
	<hr/>
	£196,367 15 10

The large increase in the expenditure of the year 1875 is accounted for partly by the extra cost of the emergency arrangements, made for preserving continuity in the mail communication between Sydney and San Francisco, pending the completion of the negotiations for a permanent contract.

On the 1st July, 1875; the commission on the sale of postage stamps allowed to country Postmasters, viz., 10 per centum, was reduced to 5 per centum, and a sum equivalent to the 5 per centum, taken off the Postmasters' remuneration, was added to their salaries. This operation of course increased the expenditure of the Department, but actually there was no greater cost entailed for this service, as the revenue gained the 5 per centum which by the change in the system was charged to expenditure. Besides the two causes above given for the augmentation of expenditure, the largely increased postal facilities afforded in the year 1875, elsewhere alluded to in this Report, of course necessitated additional outlay.

The expenditure under the vote for conveyance of mails may be particularized as follows, viz. :—

Mail conveyance <i>viâ</i> San Francisco	£52,074 18 11
Do. <i>viâ</i> Torres Straits and Suez	2,084 6 6
Do. <i>viâ</i> Melbourne and Suez	9,097 1 6
Do. by horse, stage, and rail	67,383 11 10
Do. steam and sailing vessels... ..	7,291 5 5
Do. to and from Railway Stations, and portage..	980 9 11
	£138,911 14 1

The cost of the Ocean Mail Services, *viâ* San Francisco, *viâ* Torres Straits and Suez, and *viâ* Melbourne and Suez, in 1875 was £63,256 6s. 11d., against £52,418 4s. 2d.—the combined cost of the Ocean Mail Services provided in the year 1874.

Against the cost of the Ocean Mail conveyance must be set the amount realized by postage on correspondence conveyed.

In the case of the San Francisco Service,—

The estimated postage on the outward correspondence is	£8,092 3 8
The postage from the United Kingdom, on inward correspondence	4,504 12 10

The postage on correspondence, inward and outward, received from—

Victoria	£1,805 7 10
Queensland	579 18 3
South Australia	246 16 1
Western Australia	25 12 9
Tasmania... ..	139 18 10

Total... .. £2,797 13 9

Half of which amount is credited to New South Wales, viz. :—... .. £1,398 16 10

£13,995 13 4

So that in a financial point of view the loss on the San Francisco Service for the year 1875 may be stated at £38,079.

In the case of the Torres Straits and Suez Service the estimated postage on inward correspondence is £671 18 11

On outward do. 618 13 4

£1,290 12 3

Thus showing a loss of £793 14s. 3d.

In the case of the Melbourne and Suez Service the estimated postage on inward correspondence is £2,933 5 8

On outward 3,757 16 2

£6,691 1 10

Showing a loss of £2,628 19s. 8d., including the sum of £223, the cost of conveying the inward mails from Melbourne to Sydney.

In the year 1875 the average cost per mile of the inland mail conveyance was about 4½d. against 4d., the price per mile paid in the year 1874 being for the most part due to the increased price of contracts, occasioned by the free carriage of newspapers. The particulars as to the mail contracts for the inland mail conveyance of the year 1875 will be found in the Appendix.

Appendix C.

LETTERS,

LETTERS, NEWSPAPERS, PACKETS, AND POSTAL CARDS POSTED THROUGHOUT THE COLONY.

The following is an estimated return of the number of Letters, Newspapers, Packets, and Postal Cards posted in the Colony during the year 1875, as compared with the number posted in the preceding year, viz. :—

	1874.	1875.
LETTERS.		
Posted for town delivery	1,891,500	2,457,900
" country delivery	7,680,800	9,540,900
" foreign despatch	775,000	844,000
Total number of Letters posted.....	10,347,300	12,842,800
NEWSPAPERS.		
Posted for country delivery	4,492,200	4,876,700
" foreign despatch.....	741,900	856,300
Total number of Newspapers posted.....	5,234,100	5,733,000
PARCELS, &C.		
Posted for country delivery.....	197,300	274,700
" foreign despatch.....	31,500	30,900
Total number of Parcels, &c., posted	228,800	305,600
Total number of Postal Cards posted .....	.....	128,786

The increase during 1875 in the number of letters posted is at the rate of about 23 per cent., on the number of newspapers about 8 per cent., and on the number of packets about 34 per cent. It should however be mentioned that these returns are only estimated, and that considerable difficulty is experienced, especially in the case of newspapers, in arriving at very accurate information.

The average number of letters posted in 1875 in proportion to the population of the Colony is estimated at twenty-one to each person.

The following returns show the number of letters despatched and received by the mail packets on the respective routes *viâ* San Francisco, *viâ* Melbourne and Suez, and *viâ* Torres Straits and Suez.

Year.	Route.	Despatched.						Received.					
		*Intercolonial.			†Foreign.			*Intercolonial.			†Foreign.		
		Letters.	Packets.	News-papers.	Letters.	Packets.	News-papers.	Letters.	Packets.	News-papers.	Letters.	Packets.	News-papers.
1874	<i>Viâ</i> Galle and Melbourne.	10,736	687	11,887	79,203	1,748	33,977	8,423	574	5,624	153,755	9,132	122,798
1875	" 	9,945	458	10,391	78,622	2,772	37,462	5,215	360	3,800	143,433	8,259	59,669
1874†	<i>Viâ</i> San Francisco..	1,839	261	1,757	183,963	4,370	288,138	1,493	38	941	146,199	9,268	206,223
1875	" 	11,442	888	13,499	180,125	6,293	273,078	6,592	175	3,427	183,660	11,669	194,304
1874	<i>Viâ</i> Torres Straits...	8,555	722	11,483	12,322	432	9,116	11,280	167	3,987	18,588	2,092	10,738
1875	" 	19,577	982	36,337	19,865	474	12,396	18,606	427	8,414	33,332	3,495	19,529

* The term "Intercolonial" applies to Australian and New Zealand correspondence.

† The term "Foreign" in this return applies to all correspondence other than that for the Australian Colonies and New Zealand.

‡ Only eleven (11) mails were received *viâ* San Francisco during 1874.

DEAD LETTER BRANCH.

Year.	Number of Letters returned to writers as unclaimed.					Number of registered letters returned as unclaimed.	Number of letters unregistered but containing articles of value returned as unclaimed.	Letters received from and returned to the following places as being unclaimed.				Number of letters returned as unstamped.
	Originally addressed to places within the Colony.	Originally addressed to the neighbouring Colonies.	Originally addressed to the United Kingdom.	Originally addressed to other places not mentioned in the preceding columns.	Total.			Neighbouring Colonies.	United Kingdom.	Other places not mentioned in preceding columns.	Total.	
1874.....	62,637	5,526	1,729	422	70,314	771	550	7,539	3,929	493	13,222	17,227
1875.....	75,631	7,634	1,597	524	85,376	874	615	9,589	4,473	705	16,256	18,459
Increase	12,994	2,108	.....	102	15,062	103	65	2,050	544	272	3,034	1,232
Decrease	.....	.....	132	.....	.....	.....	.....	.....	.....	.....	.....	.....

In 615 unregistered letters, which it was requisite to open in the Dead Letter Branch during the year 1875, there was found an amount of money equal to £20,380 6s. 4d. I mention this circumstance to illustrate the want of caution which is exhibited by the public in reference to the transmission of money through the Post.

The number of letters, &c., delivered by the letter-carriers attached to the head office during the months of October, November, and December of the year 1875 according to a special count, was as follows:—

Unregistered Letters	...	...	...	...	767,441
Registered Letters	...	...	...	...	6,280
Books	...	...	...	...	6,733
Newspapers...	...	...	...	...	105,592

The above figures do not include letters, &c., for Balmain or St. Leonards, as correspondence for those places is enclosed in direct mails and sent to Balmain and St. Leonards Post Offices for delivery by letter-carriers.

REGISTRATION BRANCH.

Year.	Number of Registered Letters which passed through the General Post Office.	Number of Ounces of Gold which passed through the General Post Office.
1874	123,490	4,869½
1875	129,374	4,878½
Increase	5,884	9

NUMBER OF MAILS RECEIVED AND DESPATCHED.

The following return shows the number of Mails received at and despatched from the General Post Office during the years 1874 and 1875:—

Year.	Received.		Despatched.		Total number of Mails which passed through the Office.
	Inland.	Foreign.	Inland.	Foreign.	
1874.....	57,218	5,714	60,747	4,719	128,398
1875.....	60,434	5,964	66,698	5,005	138,096
Increase	3,216	250	5,946	286	9,698

The number of written communications received from the public during 1875, intimating changes of address or requesting letters, &c., to be forwarded, was 6,394.

The number of communications addressed to the Secretary of the Post Office relating to the extension and improvement of the Service, to irregularities connected with the performance of mail contracts, and to the transit of letters, &c., through the post, and recorded in the year 1875, was 16,995. This statement will give some idea of the large amount of business transacted in the Secretary's Branch of the Postal Department, in instituting inquiries, obtaining reports, and replying to correspondence.

II.—MONEY ORDER OFFICE.

The following return shows the increase or decrease in the number and amount of Money Order transactions during 1875, as compared with the year 1874:—

Year.	Number of Offices.	Orders Issued.		Orders Paid.		Total Transactions.	
		Number.	Amount.	Number.	Amount.	Number.	Amount.
			£ s. d.		£ s. d.		£ s. d.
1874	214	95,057	430,505 6 1	86,005	399,059 13 6	181,062	829,564 19 7
1875	238	100,293	419,622 9 8	89,572	380,293 7 11	189,865	799,915 17 7
Increase	24	5,236	.....	3,567	.....	8,803	.....
Decrease.....	.....	.....	10,882 16 5	.....	18,766 5 7	.....	29,649 2 0

The

The new agencies established during the year 1875 were at the following places, viz. :—

Anvil Creek	Collector	M'Guigan's
Ashford	Coraki	Moree
Bourke-street, Sydney	Coramundra	Narrandera
Bowning	Dapto	St. Marks
Breeza	Gegedzerick	St. Peters
Burrawang	Gilgandra	Stanborough
Bowral	Haslem's Creek	Vacy
Catherine Hill Bay	Jerilderie	Waverley

The agency at Lismore was re-established, and an agency at Bowral opened in this year was subsequently discontinued. The agency at Waterloo was removed to Redfern where an official Post Office was opened.

Appendix D.

In the Appendix a detailed return will be found, showing the number and amount of Money Orders issued and paid at each office in the Colony during the year 1875.

On the 1st July, 1875, an arrangement came into operation by which money can be transmitted by Electric Telegraph Orders between this Colony and the Colonies of Victoria, South Australia, and Queensland, which has been availed of to a large extent.

The following returns are given for the purpose of showing the relative amount of business transacted between this Colony and the United Kingdom, and between this Colony and the various Australasian Colonies, viz. :—

RETURN showing the number and amount of Money Orders issued in New South Wales and made payable in the United Kingdom and the adjacent Colonies, during the year 1875, compared with the year 1874.

Where payable.	Issued in 1875.		Issued in 1874.		Increase, 1875.		Decrease, 1875.	
	No.	Amount.	No.	Amount.	No.	Amount.	No.	Amount.
In the United Kingdom	9,318	£ s. d. 38,023 19 3	8,933	£ s. d. 36,759 3 3	385	£ s. d. 1,264 16 0	...	£ s. d.
New South Wales ...	79,814	336,788 3 7	77,261	358,421 5 7	2,553	.....	...	21,633 2 0
New Zealand	635	2,841 19 6	532	2,236 9 9	103	605 9 9	...	.....
Queensland.....	1,354	5,861 9 9	1,124	4,721 17 8	230	1,139 12 1	...	.....
South Australia	702	2,638 16 4	524	1,963 3 5	178	675 12 11	...	.....
Tasmania	549	2,535 11 0	420	1,802 18 4	129	732 12 8	...	.....
Victoria	7,897	30,793 9 6	6,235	24,468 6 7	1,662	6,325 2 11	...	.....
Western Australia...	24	139 0 9	28	132 1 6	.....	6 19 3	4	.....
Totals	100,293	419,622 9 8	95,057	430,505 6 1	5,240	10,750 5 7	4	21,633 2 0

RETURN showing the number and amount of Money Orders issued in the United Kingdom and the adjacent Colonies, and made payable in New South Wales, during the year 1875, compared with the year 1874.

Where issued.	Issued in 1875.		Issued in 1874.		Increase in 1875.		Decrease in 1875.	
	No.	Amount.	No.	Amount.	No.	Amount.	No.	Amount.
In the United Kingdom	1,277	£ s. d. 5,700 8 3	1,331	£ s. d. 5,781 15 2	.....	.....	54	£ s. d. 81 6 11
New South Wales ...	79,332	335,801 1 9	76,613	358,173 15 1	2,719	.....	...	22,372 13 4
New Zealand	1,180	5,430 15 6	1,264	6,242 14 9	.....	.....	84	811 19 3
Queensland.....	3,806	16,995 10 8	3,396	14,928 16 11	410	2,066 13 9	...	.....
South Australia	482	2,070 14 9	432	1,778 19 10	50	291 14 11	...	.....
Tasmania	393	1,749 8 10	351	1,635 11 3	42	113 17 7	...	.....
Victoria	3,046	12,291 11 9	2,580	10,346 4 9	466	1,945 7 0	...	.....
Western Australia...	56	253 16 5	38	171 15 9	18	82 0 8	...	.....
Totals	89,572	380,293 7 11	86,005	399,059 13 6	3,705	4,499 13 11	138	23,265 19 6

III.—GOVERNMENT SAVINGS' BANKS.

The following return will show the progress of the business of Government Savings' Bank system for the year 1875, compared with the transactions of the year 1874, viz. :—

Year.	Number of Government Savings' Banks in the Colony.	Number of Accounts opened.	Number of Accounts closed.	Number of Accounts remaining open on 31st Dec.	Total Deposits, including Interest.		Total Withdrawals.		Balance at credit of Depositors on 31st Dec.						
					Number.	Amount.	Number.	Amount.	£	s.	d.				
1874	106	5,346	2,439	3,276	25,186	£ 241,894	13	10	7,530	£ 144,851	8	4	£ 303,113	2	11
1875	141	6,379	3,856	10,799	34,043	280,147	1	11	11,532	228,445	11	7	354,074	10	5
Increase.....	35	1,033	1,417	2,523	8,857	38,252	8	1	4,002	83,594	3	3	50,961	7	6

During the year 1875 the system was extended to the following places, viz. :—

Adaminaby	Gunnedah	Nelligen
Ashfield	Haslem's Creek	Numba
Binalong	Hexham	Paterson
Bingera	Kempsey	Petersham
Bodalla	Lidsdale	Ryde
Bowenfells	Lismore	St. Leonard's
Burrowa	Lithgow	Stroud
Cannonbar	Lochinvar	Taree
Casino	Major's Creek	Trunkey Creek
Coonabarabran	Manly	Tumut
Cooranbong	M'Guigan's	Ulmarra
Germanton	Moorooloolan	Watson's Bay.

The office at Waterloo was discontinued in 1875.

IV.—ELECTRIC TELEGRAPH DEPARTMENT.

The following return shows the extent of and the business transacted on the Electric Telegraph Lines of this Colony during the year 1875, as compared with the year 1874 :—

Year.	Extent of Electric Telegraph Line Wire in actual use on 31st December.	Number of Electric Telegraph Stations on 31st December.	Number of Messages transmitted during the Year.	Total Revenue of Electric Telegraph Department.	Total Expenditure of Electric Telegraph Department, exclusive of Interest on cost of construction of Lines.
	Miles.			£ s. d.	£ s. d.
1874.....	7,340.43 chs.	115	569,001	41,506 19 0	50,446 12 6
1875.....	7,972.51 chs.	139	718,512	48,657 18 2	60,754 12 4
Increase ...	632.8 chs.	24	149,511	7,150 19 2	10,307 19 10

The lines of Electric Telegraphs in this Colony completed during the year 1875 were :—

	Miles.	Links.	Chains.	Cost.
From Maitland to the Manning River to Port Macquarie	192	41	60	5,994 11 6
„ Kempsey to Macleay River Heads	30	55	0	1,380 6 9
„ Mudgee to Rylstone	30	19	20	1,280 18 11
„ Pilliga to Coonamble	53	7	0	3,855 5 10
„ Inverell to Warialda	62	9	60	1,732 19 10
„ Coonabarabran to Coonamble	68	27	96	2,669 12 0
„ Coolah to Coonabarabran	50	54	40	2,989 15 6
„ Cape St. George to Ulladulla	28	30	40	1,029 8 2
„ Forbes to Parkes	20	9	60	1,087 17 9
„ Casino to The Tweed	49	73	60	3,816 16 5
„ Mudgee to Hill End, additional wire	46	0	0	513 10 0
To connect St. Leonards, North Shore				237 13 4
Total number of miles	632	8	36	
Total cost				£26,588 16 0

The total cost of the whole extent of Telegraphic communication in the Colony on 31st December 1875, viz., 7,972 miles 51 chains, was £277,743 4s. 7d.

The following Telegraph Stations were opened during the year 1875:—

Adaminiy,	Lambton,
Ballina,	Lismore,
Bingera,	Macleay River Heads,
Branxton,	Parkes,
Candelo,	Rylstone,
Coonabarabran,	Tabulam,
Coramundra,	Tarcutta,
Gunning,	Taree,
Kelso,	Ulladulla,
At Redfern Post Office,	Wallsend,
Warialda,	Waratah.
Kynnumboon,	

The following lines were in course of construction in 1875:—

Warialda to Goondawindi,	Kempsey to Grafton, <i>via</i> the Nambucca and Bellinger Rivers,
Orange to Wellington <i>via</i> Molong,	Dubbo to Warren,
Wollombi to Singleton,	St. Leonards to Hunter's Hill and Gladesville,
Glen Innes to Grafton <i>via</i> Newton Boyd,	Wagga Wagga to Narrandera,
St. Leonards to Manly Beach,	Line to connect Murrumburrah.
Singleton to Denman <i>via</i> Jerry's Plains,	
Moruya to Bega,	

RETURN showing the number and value of Telegrams sent from each station in the Colony, in the year 1875.

Stations.	Messages.	Amount.			Stations.	Messages.	Amount.		
		£	s.	d.			£	s.	d.
Sydney	187,369	18,579	2	0	Raglan	1,515	89	14	6
Suburban	13,154	858	2	10	Tarana	101	5	15	10
Albury	70,447	628	19	7	Blue Mountain	41	2	7	3
Glen Innes	6,106	461	13	1	Richmond	2,186	168	13	5
Inverell	4,775	389	7	9	Windsor	2,496	146	6	2
Warialda	832	63	3	6	Wiseman's Ferry	321	19	12	11
Grafton	11,700	828	15	0	Wollombi	302	21	19	7
Rocky Mouth	1,275	84	13	1	West Maitland	14,607	1,130	18	2
Ulmara	1,235	76	12	4	East Maitland	2,921	188	0	3
Casino	2,848	248	4	10	Morpeth	2,890	175	14	11
Lismore	2,298	169	13	1	Raymond Terrace	1,336	92	4	8
Murwillimbah	11	0	17	4	Nelson's Bay	678	32	7	5
Lawrence	1,360	82	17	0	Newcastle	27,682	2,210	15	4
Palmer's Island	1,184	67	15	11	Dungog	952	61	6	7
Tenterfield	54,335	282	17	2	Taree	2,211	154	17	3
Orange	6,081	439	4	6	Paterson	632	39	5	11
Forbes	7,481	513	3	7	Clarence Town	898	53	9	10
Parkes	3,925	296	5	3	Singleton	3,937	272	5	4
Grenfell	3,809	248	8	8	Muswellbrook	3,879	234	13	1
Young	8,196	649	8	8	Scone	1,609	109	7	1
Wagga Wagga	12,263	1,188	19	1	Denman	1,063	70	15	0
Urana	1,629	152	5	4	Murrurundi	7,756	433	13	11
Jereelderie	1,398	121	18	6	Tamworth	8,360	579	1	10
Deniliquin	12,105	686	8	4	Gunnedah	2,992	225	2	7
Hay	6,756	781	13	5	Boggabri	1,543	118	17	3
Moama	891	83	12	0	Narrabri	3,401	240	2	2
Moulamein	983	94	18	7	Wee Waa	889	69	8	11
Balranald	1,863	187	14	11	Pilliga	918	70	19	7
Euston	504	37	15	8	Coonamble	1,864	150	6	7
Wentworth	14,078	333	1	3	Wallgett	2,508	208	3	5
South Head	465	17	14	2	Brewarrina	2,881	299	0	0
Penrith	1,727	112	19	6	Bourke	5,880	710	4	1
Mount Victoria	926	49	16	7	Bendemeer	1,080	69	6	7
Wallerawang	2,274	112	10	11	Bundarra	1,567	115	5	1
Bathurst	12,632	911	16	8	Uralla	1,185	76	12	11
Carcoar	2,295	154	1	5	Armidale	6,729	514	7	8
Cowra	2,674	176	10	4	West Kempsey	3,368	263	7	4
Sofala	684	39	8	8	Port Macquarie	1,562	103	3	7
Hill End	2,958	171	6	2	Redfern	3,219	184	16	4
Mudgee	8,621	619	8	8	Liverpool	1,129	67	10	1
Gulgong	4,510	323	19	5	Pictou	602	37	2	4
Wellington	3,159	222	9	7	Nattai	1,396	82	14	7
Dubbo	6,119	485	15	9	Berrima	693	43	10	7
Coolah	1,380	107	14	9	Moss Vale	1,186	73	14	6
Coonabarabran	1,283	100	13	7	Marulan	516	30	16	4
Cassilis	1,107	79	7	5	Parramatta	4,438	300	18	6
Merriwa	1,579	113	10	4	Campbelltown	1,613	96	5	0
Blacktown	384	20	16	9	Wollongong	3,910	207	0	4
Bowenfels	560	33	1	8	Kiama	3,693	241	7	9

RETURN, &c.—continued.

Stations.	Messages.	Amount.	Stations.	Messages.	Amount.
		£ s. d.			£ s. d.
Terrara	1,669	108 10 0	Wallsend	1,291	93 4 0
Ulladulla	692	49 14 11	Anvil Creek	949	69 0 1
Braidwood	2,713	206 5 4	Lambton	661	37 9 0
Araluen	922	56 16 8	Jervis Bay	121	5 15 2
Moruya	1,637	107 3 9	Kiandra	675	50 4 6
Queanbeyan	3,154	261 18 7	Gunning	1,502	99 1 6
Eden	1,295	83 3 7	Tarcutta	187	13 18 6
Merimbula	1,879	100 11 4	Adaminaby	469	37 8 0
Bega	4,024	318 1 8	Wallabadah	847	56 15 4
Cooma	5,150	429 16 11	Tabulam	258	18 15 4
Nimitybelle	998	64 11 0	Candelo	429	27 4 2
Bombala	4,300	366 6 6	Kelso	82	5 3 5
Goulburn	11,344	739 10 6	Branxton	47	3 11 7
Yass	5,776	431 19 10			
Burrowa	2,980	242 19 2		718,512	48,657 18 2
Gundagai	2,467	173 1 9			
Adelong	2,532	179 10 3			
Tumut	3,005	215 6 6	Balances of Intercolonial busi- ness		1,655 15 3
Kyamba	262	20 7 4	Amount collected for Telegrams sent <i>vid</i> Port Darwin and British Australian Telegraph Company's lines.....	1,233	18,879 9 11
Germanton	1,025	76 13 4			
Corowa	1,282	105 2 3		719,745	69,193 3 4
Bingera	791	53 12 5			
Ballina	2,183	155 10 3			
Coramundra	1,123	81 18 4			
Rylstone	1,148	81 16 8			
Waratah	650	45 13 10			

On the 1st September, 1875, an arrangement was introduced by which the receipt and delivery of telegraphic messages at—

- | | |
|----------------|-------------|
| Sydney, | Tamworth, |
| Newcastle, | Orange, |
| Wagga Wagga, | Goulburn, |
| Grafton, | Wentworth, |
| West Maitland, | Braidwood, |
| Bathurst, | Bourke, |
| Deniliquin, | Wollongong, |

was extended to 10 o'clock p.m.

I have the honor to be,
&c., &c., &c.,
J. F. BURNS,
Postmaster General.

General Post Office,
Sydney, 11th August, 1876.

APPENDIX.

A.

LIST of Post Offices on 31st December, 1875.

Name of Post Office.	Salary.	Name of Post Office.	Salary.	Name of Post Office.	Salary.
	£ s. d.		£ s. d.		£ s. d.
Aberdeen	33 0 0	Bowenfels	22 0 0	Cobar	11 0 0
Adaminiby*	3 0 0	Bowling Alley Point	18 0 0	Cobargo	18 0 0
Adelong*	50 0 0	Bowna	31 0 0	Cobbadah	10 0 0
Adelong Crossing-place	34 0 0	Bowning	16 0 0	Cobbitty	15 0 0
Albion Park	23 0 0	Bowral†	41 0 0	Cobbora	18 0 0
Albury	263 0 0	Bowraville	11 0 0	Codrington	13 0 0
1st Assistant	150 0 0	Box Ridge	11 0 0	Collarenebri	11 0 0
Alstonville	11 0 0	Braidwood*	20 0 0	Collector	19 0 0
Annandale	22 0 0	Branxton	47 0 0	Collie	14 0 0
Anvil Creek*	6 0 0	Breadalbane	27 0 0	Collington	10 0 0
Appin	34 0 0	Bredbo	10 0 0	Collyblue	11 0 0
Apple-tree Flat	13 0 0	Breeza	39 0 0	Colo	11 0 0
Araluen*	11 0 0	Brenda	22 0 0	Conargo	18 0 0
Armidales	247 0 0	Brewarrina	36 0 0	Concord	20 0 0
Assistant	50 0 0	Bridgeman	12 0 0	Condobolin	30 0 0
Arthurville	10 0 0	Bringelly	25 0 0	Coogee	9 0 0
Ashfield†	35 0 0	Brogo	12 0 0	Cookardinia	12 0 0
Assistant	77 0 0	Brookfield	12 0 0	Coolac	19 0 0
Ashford	18 0 0	Broughton's Creek	35 0 0	Coolah*	30 0 0
Attunga	11 0 0	Brownlow Hill	13 0 0	Cooma*	77 0 0
Avisford	13 0 0	Brown Mountain	15 0 0	Coonabarabran*	24 0 0
		Brown's Creek	12 0 0	Coonamble*	11 0 0
Ballalaba	11 0 0	Brungle	13 0 0	Cooranbong	23 0 0
Ballina	24 0 0	Brush Grove	21 0 0	Cooyal	10 0 0
Balmain (Branch Office)	150 0 0	Buchanan	11 0 0	Copmanhurst	14 0 0
Balranald*	9 0 0	Buckley's Crossing-place	16 0 0	Coraki, Richmond River	16 0 0
Bandon Grove	14 0 0	Budgee Budgee	17 0 0	Coramundra	27 0 0
Bankstown	13 0 0	Bulgandramine	10 0 0	Corang	11 0 0
Bannaby	10 0 0	Bulli	29 0 0	Coree	13 0 0
Baradine	17 0 0	Bundarra	32 0 0	Corova*	12 0 0
Bargo	10 0 0	Bundella	13 0 0	Do. Assistant	26 0 0
Barraba	29 0 0	Bungendore	26 0 0	Corrowong	11 0 0
Barragon	12 0 0	Bungonia	37 0 0	Cow Flat	21 0 0
Barranjoey	11 0 0	Bungowannah	14 0 0	Cowra	71 0 0
Barrengarry	10 0 0	Bungwall Flat	10 0 0	Cox's River	11 0 0
Barrington	11 0 0	Burrarorang	13 0 0	Craeton	10 0 0
Barrington	11 0 0	Burrawang	17 0 0	Craigie	11 0 0
Bartlett's Camp, G.W.R.	13 0 0	Burrendong	13 0 0	Croki, Manning River	15 0 0
Bateman's Bay	32 0 0	Burrier	11 0 0	Crookwell	23 0 0
Bathurst	300 0 0	Burrowa*	25 0 0	Cross Roads	12 0 0
1st Assistant	125 0 0	Assistant	50 0 0	Crudine	11 0 0
2nd Assistant	100 0 0	Burwood*	86 0 0	Cudal	11 0 0
Baulkham Hills	18 0 0	Byng	12 0 0	Cudgegong	19 0 0
Bega*	65 0 0			Cullenbone	11 0 0
Assistant	26 0 0	Cadia	13 0 0	Cullen Bullen	37 0 0
Belford	12 0 0	Caloola	16 0 0	Cundletown	28 0 0
Bell's Creek	16 0 0	Camberwell	20 0 0	Cungegong	20 0 0
Bendemeer*	58 0 0	Cambewarra	21 0 0	Cunningham	11 0 0
Bergalia	14 0 0	Camden	110 0 0	Currabubula	11 0 0
Berrima	59 0 0	Camden Haven	10 0 0	Currawang	16 0 0
Bethungra	10 0 0	Campbelltown*	54 0 0	Curraueela	11 0 0
Bibbenluke	15 0 0	Camperdown	16 0 0		
Bigga	15 0 0	Canadian Lead	20 0 0	Dalmorton	18 0 0
Big Hill	17 0 0	Canberra	14 0 0	Dalton	17 0 0
Billabong	18 0 0	Candelo	14 0 0	Dandaloo	15 0 0
Biloela	13 0 0	Cannonbar	38 0 0	Dapto	40 0 0
Binalong	20 0 0	Canowindra	12 0 0	Deepwater	13 0 0
Binda	17 0 0	Canterbury	13 0 0	Delegate	21 0 0
Bingera	20 0 0	Cape Hawke	13 0 0	Denham Court	13 0 0
Bishop's Bridge	14 0 0	Capertee	10 0 0	Deniliquin	200 0 0
Black Rock	20 0 0	Carcoar*	32 0 0	1st Assistant	150 0 0
Black Springs	12 0 0	Cargo	16 0 0	2nd Assistant	50 0 0
Blacktown†	38 0 0	Carinda	11 0 0	Denison Town	18 0 0
Blackville	10 0 0	Carlisle Gully	12 0 0	Denman*	36 0 0
Blackwall	10 0 0	Carrick	13 0 0	Dight's Forest	11 0 0
Blandford†	23 0 0	Carroll	16 0 0	Dingo Creek	14 0 0
Blayney	26 0 0	Casino*	10 0 0	Dirty Swamp	15 0 0
Blue-gum Flat	11 0 0	Cassilis*	9 0 0	Douglas Park	17 0 0
Boat Harbour	11 0 0	Castle Hill	22 0 0	Dubbo	77 0 0
Bobundarah	14 0 0	Castlereagh	11 0 0	Dundee	17 0 0
Bodalla	14 0 0	Cathcart	13 0 0	Dungaree	11 0 0
Boggabri	29 0 0	Catherine Hill Bay	11 0 0	Dungog*	10 0 0
Bonadary	22 0 0	Central M'Donald	14 0 0	Dungowan	14 0 0
Bombala	47 0 0	Cessnock	14 0 0	Dunkeld	12 0 0
Bonshaw	14 0 0	Chamber's Creek	18 0 0	Dural	11 0 0
Bookham	16 0 0	Charcoal Creek	27 0 0	Eastern Creek	13 0 0
Booligal	40 0 0	Charleyong	10 0 0	East Kangaloon	15 0 0
Booral	11 0 0	Chatsworth Island	16 0 0	East Kempsey	16 0 0
Boro	20 0 0	Cheeseman's Creek	10 0 0	East Maitland	153 0 0
Botany	14 0 0	Clarence Town*	5 0 0	Assistant	20 0 0
Bourke	73 0 0	Clarence River Heads	26 0 0	Assistant	21 0 0
Bourke-street	18 0 0	Clarendon	12 0 0	Ebenezer	11 0 0

A--continued.

Name of Post Office.	Salary.	Name of Post Office.	Salary.	Name of Post Office.	Salary.
	£ s. d.		£ s. d.		£ s. d.
Eccleston	16 0 0	Gunning	60 0 0	Lidsdale	24 0 0
Eden*	5 0 0	Guntawang	19 0 0	Limekilns	11 0 0
Ellalong	13 0 0	Guyong	21 0 0	Limeburner's Creek	15 0 0
Ellenborough	11 0 0			Lincoln	11 0 0
Elsmore	11 0 0	Hamilton	12 0 0	Lionsville	12 0 0
Emu	22 0 0	Hanging Rock	12 0 0	Lismore*	7 0 0
Emu Ferry	17 0 0	Harden	18 0 0	Assistant	25 0 0
Enfield	18 0 0	Hargraves	19 0 0	Lithgow†	54 0 0
Emngonia	11 0 0	Hartley	33 0 0	Little Billabong	14 0 0
Ennis	12 0 0	Hartley Vale	11 0 0	Little Hartley	24 0 0
Eskbank	16 0 0	Harwood Island	11 0 0	Liverpool	67 0 0
Esrom	10 0 0	Haslem's Creek†	16 0 0	Lochinvar	37 0 0
Eugowra	11 0 0	Assistant	15 0 0	Long Reach	13 0 0
Eurobodalla	16 0 0	Hawk's Nest	10 0 0	Long Swamp	13 0 0
Euston*	3 0 0	Hay*	95 0 0	Lostock	12 0 0
Evans' Plains	12 0 0	Haydonton	44 0 0	Louth	12 0 0
		Heifer Station	11 0 0	Lower Hawkesbury	11 0 0
Fairfield	11 0 0	Herding Yard Creek	10 0 0	Lower Portland	11 0 0
Falconer	13 0 0	Hexham	32 0 0	Lower Turon	17 0 0
Fernmount	17 0 0	Hillas Creek	11 0 0	Lucknow	23 0 0
Field of Mars	16 0 0	Hill End*	37 0 0	Luddenham	13 0 0
Fig Tree	14 0 0	Assistant	75 0 0	Lunatic Reefs	18 0 0
Fish River Creek	13 0 0	Hillston	19 0 0	Lydhurst	16 0 0
Five Dock	19 0 0	Hinton	30 0 0		
Forbes*	43 0 0	Home Rule	50 0 0	Macdonald Town	12 0 0
Fordwich	24 0 0	Hornsby	11 0 0	Macquarie Plains†	29 0 0
Forest Reefs	17 0 0	Hoskins' Town	11 0 0	Major's Creek	27 0 0
Forster	12 0 0	Howe's Valley	11 0 0	Manar	14 0 0
Foxlow	11 0 0	Howlong	20 0 0	Mangrove Creek	11 0 0
Frederickton	20 0 0	Hunter's Hill	18 0 0	Manilla	17 0 0
Frogmore	10 0 0	Huntingdon	11 0 0	Manly	26 0 0
Fullerton	11 0 0	Huskisson	10 0 0	Manna Field	19 0 0
				Marengo	21 0 0
Gannon's Forest	11 0 0	Icely	16 0 0	Marrickville	17 0 0
Garryowen	21 0 0	Ilford	46 0 0	Marsden's	15 0 0
Gegedzerick	13 0 0	Ingliston	10 0 0	Maryland	18 0 0
Gerogery	10 0 0	Inverell*	32 0 0	Maryvale	10 0 0
Germanton*	33 0 0	Assistant	70 0 0	Mathoura	19 0 0
Gerringong	24 0 0	Ironbarks	34 0 0	Maude	13 0 0
Ghinni Ghinni	17 0 0	Ivanhoe	13 0 0	M'Guigan's	21 0 0
Gilgandra	24 0 0			Meadow Flat	27 0 0
Gilmore	11 0 0	Jamberoo	27 0 0	Menangle†	24 0 0
Giminderra	20 0 0	Jembaicumbene	13 0 0	Menindie	28 0 0
Gladesville	18 0 0	Jereelderie*	11 0 0	Meranburn	16 0 0
Gladstone	17 0 0	Jerrong	11 0 0	Merimbula*	Nil
Glanmire	39 0 0	Jerry's Plains	25 0 0	Meroe	11 0 0
Glebe	26 0 0	Jindabyne	13 0 0	Merrendee	14 0 0
Glen Alice	14 0 0	Jordan's Crossing	12 0 0	Merrilla	10 0 0
Gledon Brook	11 0 0	Jugiong	29 0 0	Merriwa*	9 0 0
Glen Innes*	57 0 0	The Junction (Newc.)	18 0 0	Michelago	18 0 0
Assistant	130 0 0	Junction Point	12 0 0	Middle Arm	11 0 0
Glen Morrisou	12 0 0	Junce	16 0 0	Millamurra	11 0 0
Gloucester	21 0 0			Miller's Forest	19 0 0
Golspie	11 0 0	Kameruka	17 0 0	Millfield	16 0 0
Gongolgon	13 0 0	Kangaloon	14 0 0	Millie	12 0 0
Goodooga	11 0 0	Kangaroo Creek	11 0 0	Milton	29 0 0
Goodrich	19 0 0	Kangaroo Valley	28 0 0	Minmi	12 0 0
Goolagong	10 0 0	Kayuga	11 0 0	Minore	10 0 0
Goolma	10 0 0	Keepit	12 0 0	Mitchell's Creek	17 0 0
Goombargona	10 0 0	Kelso	41 0 0	Mittagong*	66 0 0
Goonoo Goonoo	29 0 0	Kempsey	38 0 0	Moama*	4 0 0
Goorangoola	14 0 0	Kerrabee	20 0 0	Mogil Mogil	15 0 0
Gosford	35 0 0	Kiama*	71 0 0	Mogo	11 0 0
Goulburn	300 0 0	Kiandra*	3 0 0	Molong	47 0 0
1st Assistant	150 0 0	Kimberley	12 0 0	Molonglo	17 0 0
2nd Assistant	150 0 0	Kimbriki	11 0 0	Monga	12 0 0
3rd Assistant	75 0 0	Kincumber	13 0 0	Monkerai	11 0 0
Grafton*	50 0 0	Kingstown	10 0 0	Montefiores	25 0 0
Assistant	78 0 0	Kiora	11 0 0	Monwonga	11 0 0
Graham	13 0 0	Kogarah	12 0 0	Moonan Brook	16 0 0
Grasstree	11 0 0	Kunopia	15 0 0	Moonbi	21 0 0
Greendale	10 0 0	Kurrajong	25 0 0	Moorooloolent†	34 0 0
Greenfield Farm	11 0 0	Kurrajong Heights	12 0 0	Moorwatha	12 0 0
Greenmantle	10 0 0	Kynnumboon	17 0 0	Morangarell	25 0 0
Grenfell*	32 0 0			Moree	35 0 0
Gresford	29 0 0	Laggan	16 0 0	Morpeth*	84 0 0
Gualta	10 0 0	Lagoons	11 0 0	Moruya*	61 0 0
Guildford	11 0 0	Laguna	14 0 0	Mossgiel	18 0 0
Gulgong	142 0 0	Lake Cudgellico	14 0 0	Moss Vale	38 0 0
Gullen	11 0 0	Lambton	52 0 0	Moulamein*	7 0 0
Gundagai*	20 0 0	Lane Cove	12 0 0	Mount Gipps	12 0 0
Gundaroo	20 0 0	Langworthy's	16 0 0	Mount Harris	12 0 0
Gundaroo Township	19 0 0	Lanyon	14 0 0	Mount Macquarie	11 0 0
Gundurimba	10 0 0	Largs	22 0 0	Mount Vincent	16 0 0
Gundy	12 0 0	Laurieton	10 0 0	Mudgee	210 0 0
Gunnedah*	17 0 0	Lawrence	23 0 0	Assistant	50 0 0
Assistant	20 0 0	Lewinsbrook	15 0 0	Mulgoa	16 0 0

A—continued.

Name of Post Office.	Salary.	Name of Post Office.	Salary.	Name of Post Office.	Salary.
	£ s. d.		£ s. d.		£ s. d.
Mullenderee	20 0 0	Quambone	20 0 0	Tenterfield*	18 0 0
Mulloon	11 0 0	Quartz Ridge	11 0 0	Assistant	100 0 0
Mulwala	18 0 0	Queanbeyan*	50 0 0	Tent Hill	12 0 0
Mummell	11 0 0	Assistant	113 0 0	Terrara	34 0 0
Mundooran	28 0 0	Queen Charlotte's Vale	10 0 0	Thurgoona	20 0 0
Mungindie	16 0 0	Quipolly	12 0 0	Tichborne	10 0 0
Murga	22 0 0	Quirindi	27 0 0	Tighe's Hill	12 0 0
Murraguldrrie	11 0 0			Tilba Tilba	11 0 0
Murrumbatman	10 0 0	Raglan	47 0 0	Timbarra	14 0 0
Murrumbateman	11 0 0	Rainbow Reach	11 0 0	Timbriebungie	10 0 0
Murrumburrah	42 0 0	Randwick	22 0 0	Timor	10 0 0
Murrurundi	170 0 0	Rankin's Springs	10 0 0	Tingha	20 0 0
Assistant	78 0 0	Raymond Terrace*	71 0 0	Tinonee	44 0 0
Musgrave	10 0 0	Redbank	11 0 0	Tirrania	10 0 0
Muswellbrook	125 0 0	Redfern (Branch Office)	150 0 0	Tocumwall	23 0 0
Myall River	29 0 0	Reedy Flat	13 0 0	Tomago	16 0 0
Myrtleville	13 0 0	Reidsdale	12 0 0	Toogong	12 0 0
		Reid's Flat	18 0 0	Tooleybuc	11 0 0
Nambucca	13 0 0	Richmond	118 0 0	Tooloom	11 0 0
Narellan	32 0 0	Robertson	13 0 0	Tooma	13 0 0
Narrabri*	43 0 0	Rockley	26 0 0	Toorale	13 0 0
Narrandera	34 0 0	Rocky Glen	10 0 0	Towamba	11 0 0
Native Home	10 0 0	Rocky Mouth*	10 0 0	Trunkey Creek	40 0 0
Nelligen	21 0 0	Rocky River	18 0 0	Tuena	21 0 0
Nerriga	11 0 0	Rolland's Plains	14 0 0	Tullimbar	11 0 0
Nerrigundah	18 0 0	Rouchell Brook	11 0 0	Tumberumba	33 0 0
Newcastle	330 0 0	Rouse Hill	20 0 0	Tumut	80 0 0
1st Assistant	150 0 0	Rydal†	37 0 0	Tweed Junction	12 0 0
2nd Assistant	75 0 0	Ryde	50 0 0	Two-mile Flat	13 0 0
3rd Assistant	75 0 0	Rye Park	11 0 0	Tyndale	10 0 0
4th Assistant, Stamper, &c.	150 0 0	Rylstone*	9 0 0		
New Lambton	12 0 0			Uarby	11 0 0
New Pipeclay	11 0 0	Sackville Reach	12 0 0	Ulladulla	22 0 0
Newtown (Branch Office)	150 0 0	St. Alban's	12 0 0	Ulmarras*	19 0 0
Nimitybelle*	27 0 0	St. Clair	11 0 0	Underbank	11 0 0
North Richmond	21 0 0	St. Leonards (Branch Office)	150 0 0	Unumgar	11 0 0
North Wardell	12 0 0	St. Mark's	31 0 0	Upper Araluen	21 0 0
North Willoughby	16 0 0	St. Mary's	33 0 0	Upper Bankstown	13 0 0
Noucome	10 0 0	St. Peter's	77 0 0	Upper Myhill	11 0 0
Nowendoc	12 0 0	Scone	93 0 0	Upper Pyramul	17 0 0
Nowra	47 0 0	Scott's Flat	10 0 0	Upper Turon	11 0 0
Numba	27 0 0	Seaham	13 0 0	Uralla*	11 0 0
Numeralla	11 0 0	Sebastopol	13 0 0	Urama*	12 0 0
Nundle	27 0 0	Seven Hills†	13 0 0		
		Sheet of Bark	20 0 0	Vacy	14 0 0
Oaks	18 0 0	Shellharbour	18 0 0	Vegetable-Creek	26 0 0
Oban	11 0 0	Shepard's Town	13 0 0	Vere	10 0 0
Oberon	17 0 0	Shepherd's Creek	14 0 0	Vittoria	14 0 0
Obley	23 0 0	Singleton*	69 0 0		
O'Connell	18 0 0	Smithfield	27 0 0	Wagga Wagga*	79 0 0
Onebygamba	10 0 0	Sofala*	47 0 0	Wagonga	11 0 0
One-tree Hill*	29 0 0	Solferino	20 0 0	Walbundrie	20 0 0
Ophir	10 0 0	Somerton	18 0 0	Walcha	32 0 0
Orange*	66 0 0	South Grafton	40 0 0	Wallabadah	33 0 0
Assistant	52 0 0	South Gundagai	33 0 0	Wallaceton	10 0 0
Oxford-street (Branch Office.)	150 0 0	Spring Grove	11 0 0	Wallendbeen	10 0 0
		Springside	15 0 0	Wallerawang	83 0 0
		Stanborough	22 0 0	Wallgett*	36 0 0
		Stockton	13 0 0	Wallsend	65 0 0
Paddington (Branch Office)	150 0 0	Stroud	40 0 0	Wamberal	11 0 0
Paddy's Gully	12 0 0	Summer Island	14 0 0	Wammerawa	10 0 0
Pallamallawa	10 0 0	Sutton	10 0 0	Wandandian	13 0 0
Palmer's Island*	3 0 0	Sutton Forest	29 0 0	Wandsworth	15 0 0
Palmer's Oaky	11 0 0	Swallow's Nest	13 0 0	Wanganelia	25 0 0
Pambula	29 0 0			Waratah	38 0 0
Parkes*	55 0 0	Tableland	12 0 0	Wardell	14 0 0
Parramatta	161 0 0	Tabulam	21 0 0	Warialda	55 0 0
/ Assistant	50 0 0	Taemas	11 0 0	Warkworth	27 0 0
Parramatta-street (Branch Office.)	150 0 0	Talawanta	11 0 0	Warneton	14 0 0
		Tally-ho	10 0 0	Warren	26 0 0
Paterson*	15 0 0	Tambaroora	63 0 0	Watson's Bay	21 0 0
Assistant	26 0 0	Tambar Springs	16 0 0	Wattamolla	10 0 0
Peat's Ferry	11 0 0	Tamworth*	54 0 0	Wattle Flat	31 0 0
Peel	30 0 0	Assistant	75 0 0	Waverley	98 0 0
Peelwood	14 0 0	Tangmangaroo	19 0 0	Wee Wee	25 0 0
Pejar	10 0 0	Tankerooka	13 0 0	Wellingrove	20 0 0
Pennant Hills	13 0 0	Tarago	27 0 0	Wellington*	61 0 0
Penrith	200 0 0	Taralga	24 0 0	Wentworth*	22 0 0
Petersham*	77 0 0	Tarana†	26 0 0	Westbrook	13 0 0
Pieton	80 0 0	Tarcutta	48 0 0	West Kempsey*	3 0 0
Pilliga	17 0 0	Taree*	5 0 0	West Maitland	262 0 0
Pine Ridge	18 0 0	Tarlo	21 0 0	Wheo	28 0 0
Pitt Town	22 0 0	Teapot Swamp	11 0 0	Whinstone Valley	11 0 0
Ponto	10 0 0	Telegraph Point	16 0 0	Wickham	11 0 0
Port Macquarie*	13 0 0	Temora	11 0 0	Wilberforce	20 0 0
Prospect	17 0 0	Tempe	17 0 0	Wilcannia	60 0 0
Pyree	14 0 0	Tenandra	12 0 0	Wild's Meadow	13 0 0
Pyrmont	25 0 0				

A—continued.

Name of Post Office.	Salary.	Name of Post Office.	Salary.	Name of Post Office.	Salary.
	£ s. d.		£ s. d.		£ s. d.
Willeroon	10 0 0	Wombat	31 0 0	Yatheyattah	11 0 0
William-street Branch Office	150 0 0	Woodburn	25 0 0	Yetholme	19 0 0
William Town	12 0 0	Woodhouselee	11 0 0	Yetman	18 0 0
Willow-tree	25 0 0	Woodside	11 0 0	Young*	30 0 0
Willson's Downfall	10 0 0	Woodville	18 0 0	Do. 1st Assistant	150 0 0
Wilton	13 0 0	Woollahra	23 0 0	Do. 2nd Assistant	104 0 0
Windellama	11 0 0	Woomargama	10 0 0	Yullundry*	11 0 0
Windeyer	18 0 0	Woonona	27 0 0		
Windsor	139 0 0	Woore	11 0 0	<i>Receiving Offices.</i>	
Wingen	11 0 0	Wybong	11 0 0	Botany Road	5 0 0
Wingham	22 0 0	Wyrallah	14 0 0	Bumberry	5 0 0
Wiseman's Ferry*	14 0 0			Darby's Falls	5 0 0
Wollar	14 0 0	Yarraman	13 0 0	Green Gully	5 0 0
Wollombi*	27 0 0	Yarrara Reefs	18 0 0	Ournie	5 0 0
Wollongong*	78 0 0	Yarras	10 0 0	Parksbourne	5 0 0
Wollongough	12 0 0	Yass	200 0 0	Turlinyah	5 0 0
Wolumla	13 0 0	Do. 1st Assistant	52 0 0		

* The postal and telegraph duties at these places are amalgamated.
† The postal duties at these places are conducted in the Railway Stations.

B.

LIST of Stamp-sellers on the 31st December, 1875.

Name.	Residence.	Date of Appointment.	Name.	Residence.	Date of Appointment.
Abbott, Elizabeth	109, South Head Road	21 June, 1873	Chinchen, J.	Hunter-street, Newcastle	22 Aug., 1874
Abrou, A. F.	690, George-street South	6 Aug., 1867	Clappison, C. T.	143, King-street	8 Aug., 1870
Adnum, Elizabeth	266, George-street	27 July, 1869	Clark, W.	414, George-street	11 May, 1870
Allman, J.	Bathurst	15 Jan., 1868	Clarke, E.	195, South Head Road	24 Dec., 1868
Anderson, M. E. J.	Hunter-street, Newcastle	14 May, 1872	Clement, Wm.	5, Stephen-street, Woolloomooloo Bay.	12 Sept., 1872
Andrews, John	313, Pitt-street	25 Aug., 1869	Clifford, James	Botany Road, Redfern	20 Sept., 1865
Asser, N. F.	Scone	3 Mar., 1863	Coates and Tost	William-street	27 April, 1872
Atkinson, F.	Bathurst	11 Nov., 1868	Cochrane, Josh	Wingham	9 Nov., 1865
Austin, E. W.	Bathurst	6 Sept., 1867	Cole, F. & D.	380, George-street	22 Oct., 1867
Bale, Mary	Woollahra	11 May, 1870	Cole, J.	Enmore Road, Newtown	6 Feb., 1875
Ball, E.	Goulburn	30 Dec., 1862	Colwell, J.	Gipps and Mary streets, Surry Hills.	5 Nov., 1875
Barker, F. J.	85, Sussex street	23 June, 1870	Collings, Thos.	182, Princes-street	4 Mar., 1871
Bartram, W. T.	Buckland-street, Waterloo.	21 April, 1874	Collis, John	193, Parramatta-street	14 Nov., 1867
Beare, J. C.	216, William-street	25 June, 1868	Comans, M.	Comabaning, near Coramundra.	29 Jan., 1870
Becke, E. H.	110, King-street	25 Sept., 1871	Conlan, M.	Yass	22 Feb., 1868
Bennett, Eliza	Tamworth	8 Oct., 1873	Cooper, J. J.	Railway Station	31 Jan., 1867
Bennett, G. M.	King-street	17 Sept., 1869	Cottrell, J.	Yass	18 Feb., 1863
Bennett, S.	Empire Office, 190, Pitt-street.	29 Sept., 1869	Coul, W.	Picton	27 Aug., 1864
Bennett, William	King-street	1 June, 1872	Cox, Annie M.	167, Castlereagh-street	16 April, 1867
Bent, Chas.	641, George-street	13 Aug., 1869	Crane, Kate	6, South Head Road	3 Jan., 1873
Berne, F.	Bega	14 June, 1870	Davies, J.	York-street	13 Nov., 1863
Black, J. M.	Ayrdale, Merimbula	4 Dec., 1874	Davies, P. A.	25, Parramatta-street	4 July, 1870
Board, A.	Paddington	24 Mar., 1868	Davis, E.	Parramatta	22 Mar., 1871
Bodin, Louis	Bathurst	12 Nov., 1875	Davis, R.	64, Bathurst-street	21 July, 1868
Bohrman, C.	39, South Head Road	10 May, 1869	Dawson, C. H.	Hay	31 Dec., 1866
Bowyer, George	Elizabeth-street South	26 May, 1865	Deacon, Thos.	Milson's Point, St. Leonards.	1 July, 1869
Boys, L. F.	128, King-street	30 May, 1868	Dixon, Thos.	Parramatta	31 May, 1870
Bozon, F.	William-street	29 Jan., 1866	Dieckmann, J. W.	647, George-street	29 April, 1875
Brightfield, J. W.	4, 3 Argyle-terrace, Argyle-street, Sydney.	7 Aug., 1874	Dixon, E.	Greta, Anvil Creek	2 Aug., 1875
Broadhead, Maria	West Maitland	27 July, 1863	Dole, James	Glebe Road	2 June, 1865
Bryant, R. H.	31, King-street, Sydney	14 April, 1875	Donaldson, Wm.	768, George-street	23 May, 1871
Buist, H.	101, King-street	13 June, 1870	Drake, S.	Church Hill	8 Jan., 1872
Burrows, Jno.	Newcastle	18 Oct., 1865	Duff, Thos.	Wingham	27 Aug., 1867
Butcher, E.	169, South Head Road	7 Oct., 1868	Dunn, Patrick	Mulwala	8 Dec., 1864
Butter, Thos.	199, York-street	22 Dec., 1870	Eames, W. D.	16, South Head Road	28 Jan., 1864
Butters, R.	Bathurst	14 April, 1875	Edwards, A. E.	89, William-street	28 Mar., 1871
Byrnes & Co.	Tenandra via Warren	11 Dec., 1873	Egan, Elizabeth	Old Newtown Road	27 Oct., 1873
Callaghan, M. J.	Mort-street, Balmain	16 June, 1874	Egan, M. F.	639, Elizabeth-street	6 June, 1873
Cameron, Annie	High and St. Andrew streets, West Maitland	13 Sept., 1875	Ellis, J. T.	Araluen Valley, Araluen	10 Mar., 1869
Campbell, James	Pitt-street, Redfern	3 Aug., 1875	Ellis, Thos. E.	477, George-street	17 Oct., 1873
Caselmane, Mrs. R.	Noumea, New Caledonia	30 Dec., 1872	Eve, Jas.	228, Pitt-street	25 Feb., 1870
Casperson, Mrs. L.	Tumut	29 May, 1871	Fairfax & Sons	Hunter-street	5 April, 1864
Cassidy, Wm.	Union Club	22 Sept., 1865	Falls, Mrs.	West Maitland	19 May, 1870
Castner, J. L.	Redfern Railway Station	10 Feb., 1875	Fieldhouse, E. & W.	Campbelltown	8 Aug., 1864
Chatterton, E.	Sackville Reach	8 Sept., 1863	Fitzpatrick, Mary A.	23, King-street	17 May, 1873

B—continued.

Name.	Residence.	Date of Appointment.	Name.	Residence.	Date of Appointment.
Flanagan, E. F.	594, George-street	28 June, 1864	Milne, Mary	Park and Elizabeth Sts.	20 Feb., 1874
Foot, H. B.	Yass	21 Mar., 1868	Millar, William	Penrith	14 Nov., 1865
Ford, Eliza	Ocean-street, Woollahra	8 Feb., 1871	Mills, M.	Newtown	19 Dec., 1873
Fortier, Wm.	83, Sussex-street	14 Nov., 1866	M'Guigan, Jno.	Bathurst	9 Mar., 1866
Foster, Joseph	Hull's Creek, Denman	23 June, 1869	M'Ausland, Alex.	Junction Point, near Binda.	3 Feb., 1871
Fowler, H. P.	309, Castlereagh-street.	17 Feb., 1869	Mayo, J., senr.	Goulburn	5 April, 1875
Fry, W. E.	Balmain	24 Dec., 1873	M'Coy, J.	Paddington	12 Nov., 1875
George, R. R.	Bathurst	21 May, 1866	Martel, H. C.	Dandaloo Station, Bogan River.	19 July, 1866
Gerber, C.	Young	1 Oct., 1862	Manning, Thos.	Dubbo	6 Sept., 1866
Gerrard, Mrs.	Newtown	20 Jan., 1873	Marks, E. P.	Pretty Plains, near Orange.	4 May, 1867
Gibbs, Shallard, & Co.	108, Pitt-street	17 Aug., 1868	Montgomery, Hugh	Railway Camp, Marulan	17 Sept., 1867
Gill, G.	115, George-street	19 Dec., 1865	M'Nicoll, Agnes	Newcastle	21 Sept., 1869
Grady & Co.	Corner Elizabeth and Devonshire Sts., Sydney	27 July, 1874	Mason & Co., W.	Parramatta	30 Sept., 1869
Graham, F.	Haymarket	14 July, 1856	Nash, Wm.	629, George-street	20 Jan., 1873
Gray, John	15, Market-street	13 June, 1871	Norris, W. J.	Forest Lodge, Glebe	22 July, 1873
Greisen, Martin	274, George-street	16 Feb., 1871	Noake, John	460, George-street	14 Feb., 1872
Griffiths, John	23, Erskine-street	25 Mar., 1869	Nagle, J. H.	West Maitland	2 June, 1873
Glover, Ed.	Balmain (Darling-st.)	4 April, 1865	Perry, W. B.	Gipps and Macquarie Streets, Surry Hills.	23 Nov., 1872
Goldstein, Albert	217, Lower George-st.	30 Jan., 1873	Pierce, T.	Yurong and Stanley Sts.	9 July, 1860
Goodsir, E.	Mullens-street, Balmain	6 Nov., 1871	Popplewell, Mrs. E.	645, George-street	1 Mar., 1871
Gordon & Gotch	281, George-street	8 April, 1865	Palmer, T.	George-street (Brickfield Hill).	23 May, 1865
Guinery, A.	Argyle-street, Miller's Point.	17 Aug., 1870	Porter, E.	478, Crown-street, Surry Hills.	29 May, 1868
Gulliver, John	Newcastle	30 June, 1869	Philip, Mr.	397, Crown-street, Surry Hills.	13 Dec., 1870
Hains, Hyam	405, George-street	18 May, 1871	Penfold & Co.	394, George-street	11 July, 1874
Harrison, W. S.	146, William-street	3 May, 1873	Protestant Standard, Proprietors of.	377, Pitt-street	24 Mar., 1874
Henderson, Wm.	79, King-street	22 Oct., 1874	Pape, Joseph	Ramornie, Grafton	17 July, 1872
Hagett, Mrs.	17, Argyle-place, Miller's Point.	23 Aug., 1872	Payne, J. T.	Newcastle	4 Mar., 1864
Hamilton, J.	Chippendale	16 Mar., 1860	Potter, W.	Goulburn	19 Oct., 1868
Hill, J.	790, George-street	16 June, 1858	Reilly, P.	Macquarie-street South.	8 Apl., 1863
Holroyd, Michael	306, George-street	13 May, 1864	Roberts, D.	Pitt-street	31 Aug., 1859
Hill, Geo.	76, South Head Road	30 Aug., 1866	Rout, Charles	Victoria-street	29 July, 1871
Hogan, J.	147, King-street	23 July, 1868	Roading, Jas.	George-street	20 June, 1868
Harper, W.	Upper William-street South.	24 June, 1869	Randerson, R. S.	Market-street	12 Apl., 1869
Harris, B.	8, Miller's Road, Miller's Point.	11 May, 1870	Russell, Jas.	174, Lower George-street.	29 May, 1869
Holder, Thos.	Australian Club	28 Nov., 1870	Rose, Frank W.	122, King-street	25 Feb., 1873
Hobbs, W. J.	Newcastle	6 Oct., 1870	Redgate, Wm.	390, Bourke-street	25 Feb., 1873
Hunter, W. C.	Wagga Wagga	19 July, 1869	Rae, A. B.	Bathurst	31 Aug., 1863
Harrison, M.	177, Castlereagh-street.	20 Aug., 1875	Richardson, D.	Tamworth	6 Aug., 1863
Hinchliffe, S. A.	Waterloo	2 Aug., 1875	Riley, W. R.	Goulburn	27 Nov., 1862
Iron, David	339, Castlereagh-street.	25 Sept., 1871	Roth, Max.	Deniliquin	1 June, 1869
Jones, A.	803, George-street	2 Dec., 1868	Richardson, Jane	Murrygun, Munderoran.	17 May, 1869
James, D.	41, South Head Road	27 April, 1870	Roberts, Jas.	Craigie, near Delegate	4 Aug., 1871
Jones, W. H.	57, Parramatta-street	18 June, 1870	Smith, Hy.	Regent-street, Botany Road.	13 Feb., 1873
Jones, J. R.	Bathurst	1 Oct., 1862	Sands, Robert	George-street	25 Sept., 1873
Jones, A. S.	Breadalbane, near Mutt-billy.	13 June, 1864	Sandon, C. T.	George-street	16 Feb., 1857
Johnson, W.	564, Castlereagh-street.	9 July, 1875	Saywell, T. R.	14, Park-street	7 Apl., 1863
Johnstone, G.	Australian Club, Bent-street.	31 Mar., 1875	Snyth & Wells	Hunter-street	28 Mar., 1859
Kirschbaum, A.	124, King-street	20 April, 1859	Saddling, John	Phillip-street	9 Mar., 1866
Kennedy, John	19, Kent-street	17 Jan., 1873	Sigmont, F. M.	570, George-street	13 June, 1874
Knowle, E. W.	209, Sussex-street	2 Nov., 1874	Soul & Son	221, Pitt-street	13 Aug., 1874
Kerr, A. A.	Goulburn	13 June, 1872	Shaw, Wm.	Liverpool-street, Darlinghurst.	22 Aug., 1867
Knaggs & Co.	Newcastle	29 June, 1865	Seriven, E.	West Maitland	15 Apl., 1875
Kidd, John	Campbelltown	5 April, 1867	Simpson, J.	Piper-street, Bathurst	1 June, 1875
Kline, J.	Campbell's Hill, West Maitland.	9 June, 1875	Smith, J.	Deniliquin	26 Apl., 1875
Lorimer, Bros.	414, George-street	8 Mar., 1872	Smith, R. H.	Honeysuckle Point, Newcastle.	24 Feb., 1875
Lowther, Edward	Sussex-street	13 May, 1865	Stallwood, R.	Castlereagh-street	20 Apl., 1875
Lea, Charles	92, South Head Road	28 Aug., 1868	Swayne, H. S.	Blane-street, Newcastle.	14 Apl., 1875
Leigh & Co., S. T.	21, Hunter-street	25 Nov., 1870	Street, T.	Sassafras, Nerriga	8 May, 1875
Laird, Robert	Tenterfield	4 May, 1869	Salier, J. J.	Botany-st., Surry Hills	7 Feb., 1868
Lamont, D.	George-street, Bathurst	25 Mar., 1874	Sippel, Bros.	526, George-street	7 July, 1871
Laurence, F.	Mudgee	5 May, 1869	Stroud, J.	Botany-street, Redfern	14 July, 1870
Levien, A.	West Maitland	1 Nov., 1862	Sutton, A. W.	414, George-street	15 April, 1868
Lowe, Ralph	Reid's Flat	17 Nov., 1873	Schroder, W. S.	George-street South	15 April, 1869
Lunt, Thomas	Luntvale, Tarcutta	19 Jan., 1871	Smith, D.	183, George-street	10 Aug., 1872
Mountford, Martha	236, George-street	11 Aug., 1871	Stephens, H. W.	Punch Office, 42, Hunter-street.	27 Sept., 1872
Maddock, W.	George-street	6 Aug., 1863	Stead, E. C.	Woolloomooloo and Bourke Streets.	30 Nov., 1872
M'Neil, J.	40, Sussex-street	20 Mar., 1860	Stock, Wm.	41, Park-street	11 Mar., 1872
Moore, J.	George-street	23 July, 1856	Sippel Bros.	Young	1 Nov., 1862
Murphy, F.	455, Bourke-street	1 Feb., 1860	Stormer, J. B.	Young	8 Dec., 1862
Muspratt, E.	William-street	18 Jan., 1860	Savage, F. J.	Narrandera	26 April, 1866
Musgrave, T.	Windmill-street	25 Nov., 1864	Stace, R. A.	Wellington	18 Oct., 1866
Mort, H.	Erskine-street	11 June, 1866	Stardon, G. D.	Lake Macquarie Road	10 May, 1867
Morton, M.	72, Market-street	31 May, 1870	Schwormstedt	Bathurst	31 Dec., 1872
Murphy, P.	226, George-street	11 Sept., 1872	Seymour, Jas.	Hunter's Hill	15 April, 1873
M'Phail, Emma	William-street	3 Dec., 1872			
Maier, —	256, George-street	21 April, 1873			
Mulholland & Wood	163, Pitt-street	4 Nov., 1873			
Mathews, W. H.	182, Princes-street	17 June, 1874			
Miller, Mrs.	49, New Pitt-street	4 Dec., 1874			

B—continued.

Name.	Residence.	Date of Appointment.	Name.	Residence.	Date of Appointment.
Stead, Thomas	Corowa	30 May, 1874	White, J. C.	Bathurst	17 May, 1864
Tilbury, W. T.	86, Woolloomooloo-st.	27 April, 1872	Whitton, Joseph	Camberwell	25 Aug., 1864
Taylor, S.	Bridge-street	22 Aug., 1870	Wilson, G.	Tenterfield	21 Feb., 1865
Thomson, John	110, Pitt-street	22 Aug., 1871	Whiting & Son	Taralga	19 July, 1866
Turner, E.	26, Hunter-street	9 Dec., 1864	Watkinson, Jas.	Balmain	30 Oct., 1866
Tatham, S.	Balmain	27 Oct., 1866	White, F.	Goulburn	23 April, 1868
Thomas, H.	West Maitland	9 Dec., 1864	Whipple, W. F.	Orange	13 May, 1869
Taylor, T.	Unity Hotel, Balmain	25 June, 1868	Weber, P.	Araluen	14 Feb., 1870
Tapscott, C. F.	Church-st., Parramatta	16 Aug., 1875	Webb, A.	Milson's Point, North Shore.	1 Aug., 1870
Weekes, N.	101, Parramatta-street	1 Mar., 1865	Winton, E. S.	St. Leonards	11 Aug., 1870
Watson, R. A.	Circular Quay	17 April, 1868	Wickenden Mrs.	Bathurst	15 Aug., 1873
Wheeler, J. W.	202, George-street	19 April, 1871	Woolley, G. H.	Native Home, Vale Road, Bathurst.	4 Dec., 1874
Whiting, Jas.	Double Bay	9 Mar., 1869	Wilshire, W. J.	Royal Hotel, Sydney	30 Dec., 1875
Wallace, Geo.	113, King-street	30 April, 1873	Winmill, H.	Myall Creek, Bingera	18 Aug., 1875
Walker, W.	Sofala	13 May, 1864	Yeo, T. R.	227, Pitt-street	24 Sept., 1874
Walsh, G.	Goulburn	25 May, 1864			
Weston, John	West Maitland	28 Oct., 1862			
White, Laban	Windsor	4 April, 1864			

C.

PARTICULARS of Contracts entered into for the conveyance of Post Office Mails, from 1st January, 1875.

Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of termination of Contracts.
Names.	Addresses.					
WESTERN, SOUTHERN, AND NORTHERN ROADS.						
			No. of times per week.		£ s. d.	
		Raglan Railway Station, and Post Offices, Raglan, Kelso, Bathurst, Dunkeld, Vittoria, Guyong, Lucknow, and Orange.	Six	Coach, 4 horses.		
		Wallerawang Railway Station, and Post Offices, Wallerawang, Lisdale, Cullen Bullen, Ilford, Cudgegong, Apple-tree Flat, and Mudgee.	do	do		
		Bathurst, Peel, Wattle Flat, and Sofala.	do	do		
		Bathurst, Caloola, Long Swamp, and Trunkey Creek, via Denis Island.	Three	Horseback or by coach, 2 or 4 horses.		
		Bathurst, Evans' Plains, Blayney, and Carcoar; and Carcoar, Lyndhurst, Sheet of Bark, and Cowra.	Six	Buggy or coach, 2 or 4 horses.		
		Wellington, Montefiores, and Dubbo.	Three	Coach, 2 or 4 horses.		
*1 Cobb & Co.	Sydney	Dubbo, Warren, Cannonbar, Gongolgon, and Bourke.	Two	do	14,948 15 7	31 Dec., 1876.
		Railway Station, Goulburn, and Post Offices, Goulburn, Muttibilly, Gunning, Yass, Bookham, Jugiong, and Gundagai.	Six	Coach 4 horses.		
		Gundagai, South Gundagai, Adelong Crossing-place, Hillas Creek, Tarcutta, Garryowen, Ten-mile Creek, Bowna, Thurgoona, and Albury.	do	Coach, 2, 3, or 4 horses.		
		Murrumburrah, Coramundra, Junee, and Wagga Wagga, via Bethungra and Conjugong.	Three	Buggy or coach, 2 or 4 horses.		
		Wagga Wagga, Urana, Jereclerie, Conargo, and Deniliquin, via Broogong.	Four	Coach, 2 or 4 horses.		
		Armidale, Falconer, and Glen Innes, via Ben Lomond, with a branch mail from Armidale to Puddledock.	Three	do		
		Glen Innes, Dundee, Deepwater, Tenterfield, and Maryland.	do	Horseback		
		Bendmeier, Bundarra, Stanborough, Middle Town, and Inverell, via Carlisle Gully.	Three	Coach, 2 or 4 horses.		
			do	do		

* In consequence of Railway extension to Kelso that portion of contract between Raglan and Kelso cancelled from 4 Feb., 1875; and in consequence of Railway extension to Gunning that portion of contract between Goulburn and Gunning cancelled from 9 Nov., 1875.

C—continued.

Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of termination of Contracts.
Names.	Addresses.					
WESTERN ROADS.			No. of times per week.		£ s. d.	
*1 Wm.....	Parramatta	Railway Station and Post Office, Parramatta, including the clearing of all Iron Letter Receivers at Parramatta.	Four times or oftener daily.	Horseback or by carriage if required.	70 0 0	31 Dec., 1875.
2 Jas. Fishburn	Castle Hill	Parramatta, Field of Mars, and Pennant Hills.	Six	Horseback	42 0 0	31 Dec., 1877.
3 Wm. Horsley	Rouse Hill	Parramatta Railway Station, and Post Offices, Parramatta, Baulkham Hills, and Rouse Hill	do	do	80 0 0	31 Dec., 1875.
4 James Fishburn	Castle Hill	Baulkham Hills and Dural.....	Three.....	do	19 0 0	31 Dec., 1877.
5 Richd. Wall	Blacktown	Blacktown, Prospect, and Eastern Creek.	Six.....	do	38 0 0	31 Dec., 1875.
6 H. J. Kirwan	Windsor	Windsor and Pitt Town.....	do	do	23 0 0	31 Dec., 1877.
7 H. J. Kirwan	Windsor	Windsor and Wilberforce via the new bridge.	do	do	25 0 0	31 Dec., 1877.
8 Geo. Turnbull.....	Wilberforce	Wilberforce, Ebenezer, and Sackville Reach.	Three.....	do	25 0 0	31 Dec., 1877.
9 Hy. Everingham.....	Lower Portland.....	Sackville Reach and Lower Portland.	do	do	36 0 0	31 Dec., 1876.
10 Thomas Thompson...	Pitt Town	Pitt Town, Wiseman's Ferry, and St. Alban's.	Two	do	50 0 0	31 Dec., 1875.
11 Henry Wilson.....	Wiseman's Ferry	Wiseman's Ferry and Mangrove Creek.	One	do	18 0 0	31 Dec., 1877.
12 C. Houghton	Richmond.....	Richmond, North Richmond, and Kurrajong.	Six.....	Horseback or by 4-wheeled conveyance	35 0 0	31 Dec., 1877.
13 Wm. Blundell.....	Colo	Kurrajong and Colo	One	Horseback	25 0 0	31 Dec., 1875.
14 B. Gosper	do	Colo and Howe's Valley.....	do	do	60 0 0	31 Dec., 1876.
15 Wm. J. Kelly	Richmond.....	Richmond and Camden via Castlereagh, Penrith, Greendale, Mulgoa, and Bringelly.	Three.....	do	144 0 0	31 Dec., 1877.
16 Thos. Smith	Penrith	Penrith Post Office, and Railway Station, Penrith.	Three times or oftener daily.	do	23 0 0	31 Dec., 1875.
17 Ralph Nash.....	Penrith	Penrith Post Office, Emu Ferry, and Emu.	Once or oftener daily.	do	23 6 8	31 Dec., 1876.
18 John Worthington...	St. Mary's.....	Railway Station, South Creek, and Post Office, St. Mary's.	Twelve ...	do	20 0 0	31 Dec., 1875.
19 S. Jones	Hartley	Railway Station and Post Office, One-tree Hill; and Railway Station, One-tree Hill, and Post Offices, One-tree Hill, Little Hartley, and Hartley.	Twice or oftener daily.	do	25 0 0	31 Dec., 1875.
(Transferred to Robt. Evans and F. Corron from 23 January, 1875.)			Six.....	do		
20 S. Jones	Hartley	Hartley and Hartley Vale	Five	do	15 0 0	31 Dec., 1875.
(Transferred to Robt. Evans and F. Corron from 23 January, 1875.)						
21 Joseph Cook	Bowenfels	Post Offices, Lithgow and Bowenfels.	Six.....	do	36 0 0	31 Dec., 1875.
22 Wm. Sargent	O'Connell	Macquarie Plains and O'Connell, with branch mail to and from O'Connell and Dirty Swamp.	Three... Two ...	do	49 12 4	31 Dec., 1875.
23 T. E. Toohill	Oberon	Tarana, Mutton's Falls, and Oberon.	Three.....	do	60 0 0	31 Dec., 1877.
24 Thos. Cheshire	Mudgee	Mudgee, Guntawang, Cobbora, Mundooran, and Coonamble (to travel in time of floods on the north side of the Cudgegong River, via Guntawang).	Two	Carriage, 4-wheeled 2 horses.	540 0 0	31 Dec., 1875.
25 D. N. Morrison	Walgett.....	Coonamble and Walgett, via Nebea, Urawilky, Terembone, Bogawan, and Billeroy, Colwell's Station (to follow the Castlereagh River between Bogawan and Wallgett, travelling via Kidgear, Yowendah, and Euroka).	One	Horseback	147 0 0	31 Dec., 1876.
26 Jas. M'Cullough.....	Coonamble	Coonamble and Quambone, via Bimbleyon, Bunday, Ningey, and Coanbone.	do	do	77 0 0	31 Dec., 1876.
27 David Thomson	Glen Alice.....	Cullen Bullen and Glen Alice...	Two	do	40 0 0	31 Dec., 1877.
28 Sidney Brown	Ilford.....	Ilford and Rylstone.....	Three.....	do	70 0 0	31 Dec., 1875.
29 Sidney Brown	Ilford.....	Rylstone and Dungaree	Two	2-horse coach.	60 0 0	31 Dec., 1875.
30 Thos. Cheshire	Mudgee.....	Guntawang and Two-mile Flat..	do	Horseback	34 10 0	31 Dec., 1875.
31 W. J. Weston, jun....	Cobbora.....	Dubbo and Cobbora.....	do	do	95 0 0	31 Dec., 1875.
32 Thos. Cheshire	Mudgee.....	Mundooran and Coonabarabran, via Luckey's Caigan, Mobala, and Belar.	One	Coach 2 or 3 horses.	139 0 0	31 Dec., 1877.

* Contractor allowed 5s. per week extra to clear an additional receiver at the corner of Good-street and Main Western Road, from 16 December, 1875.

C—continued.

Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of termination of Contracts.	
Names.	Addresses.						
33	W. N. Kennedy	Coonabarabran	Mundooran and Baradine, via Bundella, Yarragren, Bearbong, Bidden, Youlbong, Tunderbrine, Gumin Gumin, Tendandra, Panta, Wingadgen, and Gorrinowa.	One	Horseback	£ 100 0 0	31 Dec., 1875.
34	James M'Dougall	Collie	Gilgandra, Collie, and Quambone, via Haddon Riggs, Ingelgar, Carwell, and Burgess's.	do	do	90 0 0	31 Dec., 1875.
35	Cobb & Co.	Sydney	Gilgandra and Dubbo, via Terramungamine, Talbragar Bridge, and Coalboggie Creek.	Two	Horseback or coach.	120 0 0	31 Dec., 1877.
36	Edward Donnelly (Transferred to James M'Dougall from 1 April, 1875.)	Wammerawa	Quambone and Carinda (Warren Creek).	One	Horseback	60 0 0	31 Dec., 1875.
37	Martin Nash	Mudgee	Mudgee, Merrendee, Burrendong, and Ironbarks.	Two	do	127 0 0	31 Dec., 1876.
38	Martin Nash	Mudgee	Mudgee, Grattai, Windeyer, Pure Point, Campbell's Creek, Long Creek and Upper Pyramul, with a branch post to and from Grattai, Avisford, and Hargraves.	do	do	130 0 0	31 Dec., 1877.
*39	James Loy	Barragon	Mudgee, Cooyal, Barragon, and Wollar.	do	do	85 0 0	31 Dec., 1876.
40	Thos. Trotter	Cassilis	Mudgee and Cassilis	do	do	117 0 0	31 Dec., 1876.
41	Thos. Tarrant	Mudgee	Mudgee, Home Rule, and Gulgong (Contractor to travel via Canadian Lead instead of via Home Rule, if required).	Six	Coach 2 horses or more.	133 0 0	31 Dec., 1876.
42	Jas. Clark	Canadian Lead	Home Rule and Canadian Lead	Six	Horseback	50 0 0	31 Dec., 1875.
43	Jas. Clark	Canadian Lead	Gulgong and Denison Town	One	do	65 0 0	31 Dec., 1875.
44	Cobb & Co.	Sydney	Orange, Shepherd's Creek, Ironbarks, Black Rock, Wellington, and Montefiores; and Orange, Shepherd's Creek, Molong, Black Rock, Wellington, and Montefiores.	Three	do	1,230 0 0	31 Dec., 1876.
45	Wm. P. Hennessy	Arthurville	Wellington, Ponto, and Arthurville, via Bushrangers' Creek.	One	Horseback	52 0 0	31 Dec., 1875.
46	Ronald Gillis	Goolma Creek, via Wellington.	Wellington and Gulgong, via the Crossing over Reedy Creek, and Hoffmeister's (Mitchell's Creek).	do	do	80 0 0	31 Dec., 1875.
47	Thos. Baker	Meadow Flat	Rydal, Meadow Flat, and Yetholme.	Three	do	49 7 6	31 Dec., 1877.
48	Thos. Baker	Meadow Flat	Meadow Flat and Mitchell's Creek.	Two	do	14 0 0	31 Dec., 1877.
49	Robt. C. Scott	Mitchell's Creek	Mitchell's Creek and Palmer's Oakey.	do	do	30 0 0	31 Dec., 1876.
50	P. Coyle	Hill End	Sofala, Tamaroora, and Hill End.	Six	Coach, 2 or more horses	332 0 0	31 Dec., 1877.
51	James M'Grath	Hill End	Bathurst, Lower Turon, Hill End, and Tamaroora, by the Bridle Track, for the conveyance of the letters only. (Contractor will however be required to convey newspapers to and from Lower Turon.)	do	Horseback	390 0 0	31 Dec., 1876.
52	Jno. Tobin	Limckilns	Peel and Limekilns	One	do	22 0 0	31 Dec., 1875.
53	Wm. Hall	Millamurra	Peel, Millamurra, and Quartz Ridge.	Two	do	70 0 0	31 Dec., 1875.
54	J. Drew	Ilford	Sofala and Ilford	do	do	50 0 0	31 Dec., 1875.
55	Timothy M'Carthy	Box Ridge	Sofala and Box Ridge	do	do	26 2 6	31 Dec., 1875.
56	Michael M'Donald	Upper Turon	Sofala and Upper Turon (junction of Palmer's Oakey Creek with the Turon River).	do	do	29 10 0	31 Dec., 1877.
57	Bridget Pedder	Hargraves	Tamaroora and Hargraves (Contractor to carry out twice a week service, if required, at £65 per annum.)	One	do	34 0 0	31 Dec., 1877.
58	John Beatty	Glanmire	Raglan and Glanmire	Six	do	60 0 0	31 Dec., 1875.
59	Wm. Paton	Bathurst	Bathurst and Chambers' Creek, via Eglinton.	Three	do	144 0 0	31 Dec., 1876.
60	J. B. Keen	Oberon	Oberon, Black Springs, Jerrong, Curraweela, and Taralga, via Yokeborough.	One	do	74 0 0	31 Dec., 1877.
61	W. Paton	Bathurst	Bathurst, Cow Flat, and Rockley, via George's Plains.	Three	Vehicle	118 0 0	31 Dec., 1877.
†62	Jas. M'Phee	Swallow's Nest	Rockley and Swallow's Nest	One	Horseback	22 0 0	31 Dec., 1875.
63	Thos. B. Carson	Lagoons	Cow Flat and Lagoons	Two	do	9 0 0	Contract to terminate on three months' notice on either side.

* Contractor allowed £10 per annum extra to travel by site of present Cooyal Office (Funnell's), from 1st January, 1875.

† Contractor allowed £5 per annum extra to convey the mails via M'Alpine's and Warby's, Eagle Vale, from 1st November, 1875.

C—continued.

Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of termination of Contracts.
Names.	Addresses.					
64 J. O'Brien	Rockley	Rockley and Trunkey Creek	One	Horseback	25 0 0	31 Dec., 1875.
65 J. O'Brien	Rockley	Trunkey Creek and Tuena ..	do	do	35 0 0	31 Dec., 1875.
*66 Jas. Lynch	Sheet of Bark	Sheet of Bark and Wood's Flat	Three	do	18 0 0	31 Dec., 1876.
67 W. P. Jones	Cowra	Cowra, Goolagong, and Forbes	do	do	136 0 0	31 Dec., 1875.
68 John Matthews	Blayney	Blayney and Brown's Creek ..	do	do	28 0 0	31 Dec., 1875.
69 Chas. Boss	Teesdale	Carcoar, Mount Macquarie, and Trunkey Creek.	One	do	39 0 0	31 Dec., 1875.
†70 Geo. White	Euroka	Lyndhurst and Euroka	Two	do	28 0 0	31 Dec., 1875.
71 John Fagan	Carcoar	Cowra and Grenfell	Three	Coach, 2 or more horses	200 0 0	31 Dec., 1876.
72 T. P. Grant	Canowindra	Sheet of Bark and Canowindra, via "The Islands."	do	Horseback	69 10 0	31 Dec., 1875.
73 R. J. Gosper	Forest Reefs	Lucknow and Forest Reefs	Two	do	40 0 0	31 Dec., 1875.
74 Wm. Oates	Guyong	Guyong, Byng, and Icely	Three	do	46 0 0	31 Dec., 1875.
75 Wm. Webb	Spring Grove	Guyong and Spring Grove	Two	do	18 0 0	31 Dec., 1877.
76 Cobb & Co.	Sydney	Orange, Heifer Station, Cudal, Toogong, Murga, and Forbes.	Three	2 or 4 horse coach.	860 0 0	31 Dec., 1877.
77 Robert Burney	Parkes	Orange, Parkes, and Billabong, via Boree and Bumberry.	do	3-horse coach.	400 0 0	31 Dec., 1875.
78 E. H. Allen	Forbes	Forbes, Monwonga, and Condobolin.	Two	Horseback	177 0 0	31 Dec., 1876.
(Transferred to Joseph J. Ripplingale, from 1st April, 1875.)						
79 W. Dresser and W. Dunn.	Condobolin	Condobolin, Eauabalong, Hillston, and Booligal.	do	do	390 0 0	31 Dec., 1876.
80 A. W. Robertson & J. Wagner.	Melbourne, Victoria.	Booligal and Hay	do	2 or 4 horse coach.	250 0 0	31 Dec., 1876.
81 Stephen Byrnes	Eauabalong	Eauabalong and Lake Cudgellico (Contractor to adopt same route as travelled by private mail.)	do	Horseback	80 0 0	31 Dec., 1875.
82 P. & T. Joyce	Cudjee Creek, Young.	Forbes, Grenfell, and Young...	do	2-horse coach.	227 0 0	31 Dec., 1877.
83 F. C. Lloyd	Bland, near Grenfell.	Grenfell, Morangarell, and Temora. (To travel alternately via Nurraburra and Yeo Yeo Creek and Geraldra.)	do	Horseback	170 0 0	31 Dec., 1875.
84 Wm. Miller	Scrubby Plains; via Parkes.	Forbes, Parkes, M'Guigan's, and Billabong, via Welcome Lead and London.	Three	Coach, 3 horses.	135 0 0	31 Dec., 1876.
(Transferred to Joseph Still, from 1st September, 1875.)						
85 W. F. Wynne	Orange	Orange and Cargo	do	4-wheeled vehicle, 2 horses.	130 0 0	31 Dec., 1875.
(Transferred to Henry Wood, from 1st October, 1875.)						
86 John Rice	Ophir	Orange and Ophir	One	Horseback	40 0 0	31 Dec., 1875.
87 Wm. Walsh	Orange	Orange, Springside, Cadia, and Carcoar, via Burnt-yards.	do	do	65 0 0	31 Dec., 1877.
88 Geo. H. Wilson	Ironbarks	Molong and Ironbarks	Three	do	99 0 0	31 Dec., 1876.
(Transferred to John Lynch, from 1st April, 1875.)						
89 Geo. Coleman	Molong	Molong, Yullundry, Goodrich, and Obley.	Two	do	88 0 0	31 Dec., 1875.
†90 Neil Morrison	Cannonbar	Obley, Dandaloo, and Cannonbar (Contractor to travel once a week via Nyngan, and once a week via Duladerry and Old John's Stations).	do	do	305 0 0	31 Dec., 1875.
91 Wm. Litch	Arthurville	Obley and Dubbo, via Wambagalang and the Springs.	One	do	50 0 0	31 Dec., 1875.
92 Thos. Cook	Mount Harris	Warren and Mount Harris, via Drungalee.	do	do	40 0 0	31 Dec., 1876.
93 W. H. Dean & E. Byrnes.	Tenandra	Warren and Tenandra	do	do	33 0 0	31 Dec., 1877.
(Contract cancelled. See supplementary notice.)						
94 Chas. Delany	The Mole, Wellington.	Mount Harris and Wammerawa	do	do	75 0 0	31 Dec., 1875.
95 Neil Morrison	Cannonbar	Willeroon and Brewarrina (to travel along the left bank of the Marra Creek).	do	do	99 15 0	31 Dec., 1875.
(Transferred to Frances & Reilly, from 1 Aug., 1875.)						
96 Malcolm Morrison	Walgett	Brewarrina and Gongolgon ..	do	2-horse coach.	75 0 0	31 Dec., 1877.
97 C. J. Conway	Brewarrina	Brewarrina and Enngonia, via the "Horse and Jockey Hotel" (Biree), Biree Station, Cocklerina, Kinibri, Colless', Corella, and Lidnapper.	do	Horseback	125 0 0	31 Dec., 1876.
(Transferred to John Thomas Rogan, from 1 December, 1875.)						
†98 C. J. Conway	Brewarrina	Bourke and Enngonia, or Belalie, or Bourke and Cameron's, Cuttaburra Creek.	do	do	110 0 0	31 Dec., 1877.

* Contractor allowed £50 extra to convey mails twice a week between Wood's Flat and Darby's Falls, from 1st September, 1875.

† Agreed to relinquish Contract from 30th June, 1875.

‡ Allowed £75 per annum extra to make Willeroon instead of Cannonbar the terminus of mail line, from 1st October, 1875.

§ Contractor allowed £35 per annum extra to travel via Colless' Springs and Shearer's, Garari Station, from 1 July, 1875.

¶ Contractor allowed £40 per annum extra to travel via Perillie and Lela, from 18 May, 1875, and £50 per annum extra to extend his contract to Mullen's

"Border Hotel," Bomaderry Lagoon, from 1 September, 1875.

C—continued.

Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of termination of Contracts.
Names.	Addresses.					
99 Michael M'Auliffe	Bourke	Bourke and Hoodsville, via Ford's Bridge, Yanta-bulla-bulla, and Brindingabba.	No. of times per week. Once a fortnight.	Horseback	£ s. d. 130 0 0	31 Dec., 1876.
100 Malcolm Morrison (Transferred to Michael M'Auliffe, from 1 July, 1875.)	Wallgett	Bourke and Hoodsville, via Ford's Bridge, Yanta-bulla-bulla, and Brindingabba.	do	do	135 0 0	31 Dec., 1876.
101 John W. Colless	Cobar	Bourke, Cobar, and the Cornish, Scottish, & Australian Copper Mines.	One	4-horse coach.	150 0 0	31 Dec., 1877.
SOUTHERN ROADS.						
1 Geo. Abbott	Liverpool	Liverpool, Denham Court (on return by Kemp's Creek), and Bringelly.	Six	Horseback	69 0 0	31 Dec., 1875.
2 James Waterworth	Camden	Railway Station, Campbelltown; and Post Offices, Campbelltown, Narellan, and Camden.	Twelve ...	Coach, 2 or more horses.	70 0 0	31 Dec., 1876.
3 Wm. Anderson	Bargo	Picton and West Bargo	Two	Horseback or vehicle.	18 0 0	31 Dec., 1875.
4 Jane T. Wasson	Brownlow Hill ...	Camden and Brownlow Hill ...	Six	Horseback	45 0 0	31 Dec., 1877.
5 Thos. Cummings	Cobbitty	Narellan and Cobbitty	do	do	33 0 0	31 Dec., 1875.
6 Jas. Waterworth	Camden	Railway Station, Campbelltown; and Post Offices, Campbelltown, Appin, Woonona, and Wollongong.	do	Covered coach, 2 or more horses.	460 0 0	31 Dec., 1876.
7 R. T. Hayles	Wollongong	Wollongong, Fig-tree, Charcoal Creek, Dapto, Albion Park, Jamberoo, and Kiama.	do	4-wheeled vehicle, 1 or more horses.	190 0 0	31 Dec., 1876.
8 Dixon King	Kiama	Kiama and Gerringong	do ... } Three... }	Horseback	125 0 0	31 Dec., 1876.
9 Wm. Kennedy	Bomadary	Broughton's Creek & Bomadary	do	do	40 0 0	31 Dec., 1876.
10 Jas. Grey	Albion Park	Albion Park and Shelliharbour.	Four	do	35 0 0	31 Dec., 1875.
				or buggy—1 or 2 horses.		
11 Richd. Bartlett, senr.	Terrara	Nowra, Terrara, Numba, and Pyree, via Green Hills.	Six	Horseback	52 0 0	31 Dec., 1877.
12 Levi White	Wilton	Douglas Park and Wilton	Three	do	30 0 0	31 Dec., 1877.
13 Francis Gray	Picton	Picton Railway Station, and Post Office, Picton.	Two or three times daily.	do	20 0 0	31 Dec., 1876.
14 Francis Gray	Picton	Picton and Oaks	Six	do	30 0 0	31 Dec., 1876.
15 P. Reilly	Oaks	Oaks and Burrarorang	Three	do	30 0 0	31 Dec., 1875.
16 Robert O'Reilly	Cox's River	Burrarorang and Cox's River	do	do	30 0 0	31 Dec., 1876.
17 Joseph Limond	Moss Vale	Railway Station and Post Office, Moss Vale.	Fifteen or oftener.	do	30 0 0	31 Dec., 1875.
18 H. W. Taylor	Moss Vale	Post Offices, Moss Vale and Berrima.	Twelve ...	do	69 0 0	31 Dec., 1877.
19 W. Norris	Sutton Forest ...	Moss Vale and Sutton Forest ...	Seven	do	16 0 0	31 Dec., 1875.
20 W. Norris	Sutton Forest ...	Sutton Forest and Cross Roads	Four	do	22 0 0	31 Dec., 1875.
21 H. W. Taylor	Moss Vale	Moss Vale, Burrarawang, Robertson, East Kangaloon, Kangaloon, and Bowral, with a branch mail to and from Burrarawang and Wild's Meadow.	Three	do	99 0 0	31 Dec., 1875.
22 Wm. Kennedy	Bomadary	Moss Vale, Kangaroo Valley, Cambewarra, Bomadary and Nowra, via the Bomadary Ferry.	Six	do	368 0 0	31 Dec., 1877.
23 Saml. Huxley	Kangaroo Valley	Kangaroo Valley, Broughton's Creek, and Coolangatta.	do	do	115 0 0	31 Dec., 1877.
24 Phillip Murray	Ulladulla	Nowra, Tomerong, Milton, and Ulladulla.	Three	do	145 0 0	31 Dec., 1877.
25 John MacDonald	Burrier	Nowra and Burrier	Two	do	28 15 0	31 Dec., 1876.
26 Thos. Brown	Long Reach	Moorroowoolen and Murrumbah	Three	do	27 0 0	31 Dec., 1877.
27 Joseph Pallier	Marulan	Moorroowoolen and Marulan ...	Six	do	10 0 0	31 Dec., 1875.
28 Joseph Pallier	Marulan	Marulan and Bungonia	do	or buggy, 1 or 2 horses Horseback or buggy, 1 or 2 horses.	30 0 0	31 Dec., 1875.
29 Daniel Cruice	Bungonia	Bungonia and Windellama	One	Horseback	13 0 0	31 Dec., 1875.
30 George Noble	do	Bungonia and Jacqua	Two	do	28 0 0	31 Dec., 1876.
31 Jno. Wade	Moorroowoolen ...	Moorroowoolen, Long Reach, and Big Hill.	Three	do	75 0 0	31 Dec., 1875.
32 Thomas Moran	Goulburn	Goulburn, Woodhouselee, Laggan, Crookwell, Binda, Junction Point, and Tuena.	Two	Coach, 1 or more horse when practicable, or otherwise horseback.	200 0 0	31 Dec., 1877.
33 Jas. S. Morgan	Peelwood	Laggan and Peelwood	do	Horseback	60 0 0	31 Dec., 1876.
		Peelwood and Tuena	One	do		
34 Wm. Ritchie	Fullerton	Laggan and Fullerton	do	do	20 0 0	31 Dec., 1876.

C—continued.

Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of termination of Contracts.
Names.	Addresses.					
35 J. Millane, jun.....	Wheeo	Goulburn, Mummel, Woore (Pomeroy), Gullen, and Wheeo. (Contractor to convey letters, &c., on mail-days to and from the Wheeo Post Office and the Wesleyan Chapel at Wheeo.)	No. of times per week. Two	Horseback	£ s. d. 70 0 0	31 Dec., 1875.
36 T. Daly	do	Wheeo, Reid's Flat, and Cowra	One	do	101 0 0	31 Dec., 1875.
*37 A. E. McDonald	Binda.....	Binda, Bigga, and Reid's Flat, via Markdale.	do	do	58 0 0	31 Dec., 1876.
38 M. Frost	Wheeo	Dalton and Wheeo	Two	do	47 0 0	31 Dec., 1875.
39 J. Kingsland & O. Malone.	Braidwood	Goulburn, Tarago, Boro, Manar, and Braidwood.	Six	Coach, 2 or more horses	370 0 0	31 Dec., 1877.
40 Owen Malone	do	Braidwood, Bell's Creek, Upper Araluen, and Araluen; with a branch mail to and from Braidwood and Reidsdale.	do ... } Two ... }	1 or more horse coach.	130 0 0	31 Dec., 1876.
41 Bridget Higginson	Moruya	Araluen, Lower Araluen, Mullenderree, and Moruya.	Six	Horseback		
42 Patk. Cahill	Braidwood	Braidwood, Jembaicumbene, and Major's Creek. (Contractor to carry out a daily service if required, £70 per annum.)	Three.....	Coach, 1 or 2 horse, or horseback.	39 0 0	31 Dec., 1876.
43 Patk. Malone	Queanbeyan	Tarago or Boro, Bungendore, and Queanbeyan.	do	Coach, 2 or more horses	200 0 0	31 Dec., 1877.
44 Cobb & Co. (Transferred to Jas. Malone from 1 May, 1875.)	Sydney	Queanbeyan, Rob Roy, Michelago, and Cooma.	do	do	520 0 0	31 Dec., 1877.
45 Patk. Griffin	Boro	Boro and Mulloon	do	Horseback	25 0 0	31 Dec., 1875.
46 Jas. Donaldson	Adaminaby	Cooma, Adaminaby, and Kiandra, via Dairyman's Plains, Wambrook, Dry Plain, Queen-gallery, and Bolera.	One	do	109 10 0	31 Dec., 1875.
47 Robert Crowe	Seymour, via Cooma.	Cooma, Adaminaby, Russell's, and Kiandra, via Middling Bank.	do	do	110 0 0	31 Dec., 1875.
48 Jas. Donoghoe	Molonglo	Bungendore, Molonglo, and Foxlow.	Three.....	do	39 0 0	31 Dec., 1877.
49 W. A. Collier	Queanbeyan	Queanbeyan, Lanyon, and Cuppacumbalong.	do	do	40 0 0	31 Dec., 1876.
50 Robt. Williams.....	Jindabyne.....	Cooma and Buckley's Crossing-place, via Gegedzerick, Claremount and Woolway.	Two	Once a week horseback once a week vehicle.	119 0 0	31 Dec., 1875.
51 Patk. Spellman.....	Gegedzerick	Gegedzerick and Jindabyne	do	Horseback	45 0 0	31 Dec., 1875.
52 H. Goodwin	Cooma	Cooma, Numeralla, and Ballalaba via Whinstone Valley.	One	do	120 0 0	31 Dec., 1875.
†53 Geo. Reed	Bombala	Cooma, Nimitybelle, & Bombala Cooma and Bobundarah	Two ... } One ... }	Horseback and by 2-horse carriage.	498 0 0	31 Dec., 1876.
		Bobundarah and Bombala, via Gunningrah and Buckalong.	Three.....			
54 Patk. Cleary	do	Bombala and Delegate, via Craigie.	Two	Horseback	105 0 0	31 Dec., 1876.
55 P. Brown	Brown Mountain	Nimitybelle and Kameruka	One	do	80 0 0	31 Dec., 1877.
56 Neal Deeney	Corrowong	Delegate and Corrowong	Two	do	35 0 0	31 Dec., 1875.
57 M. Monaghan	Major's Creek	Major's Creek and Ballalaba	do	do	25 0 0	31 Dec., 1876.
58 M. Monaghan	Major's Creek	Ballalaba and Fairfield	One	do	35 0 0	31 Dec., 1876.
59 Joseph Gregory	Braidwood	Braidwood, Charleyong, Corang, and Nowra, via Nerrga.	do	do	84 10 0	31 Dec., 1877.
60 B. Malone	Braidwood	Braidwood and Monga (Little or Mongarlo River.)	Two	do	20 0 0	31 Dec., 1877.
61 A. T. Gibson.....	Nelligen	Braidwood and Nelligen.....	do	Coach or horseback.	80 0 0	31 Dec., 1876.
62 C. J. Jones	Queanbeyan	Braidwood, Hoskins Town, and Queanbeyan.	One	Horseback	50 0 0	31 Dec., 1875.
63 P. Malone and J. Pooley. (Transferred to Philip Pooley from 1 January, 1875.)	do	Goulburn, Collector, Gundaroo Township, Gundaroo, Ginninderra, Canberra, and Queanbeyan, via the Lake, or to and from Goulburn, Collector, Gundaroo Township, Gundaroo, Ginninderra, Canberra, and Queanbeyan, via Thompson's marked tree line.	Three.....	Vehicle, 1 or more horses.	462 8 0	To terminate upon the extension of the Railway to any point beyond Goulburn from which the mails can be conveyed to Queanbeyan.
64 Mary Johnson	Spring Valley, Currawang.	Goulburn and Currawang	Two	Horseback	65 0 0	31 Dec., 1875.
65 Jas. Cahir	Middle Arm.....	Goulburn and Middle Arm	One	do	24 10 0	31 Dec., 1875.
66 Wm. Wilson.....	Tarlo	Goulburn, Tarlo, Myrtleville, and Taralga, via Chatsbury.	Two	do	55 0 0	31 Dec., 1876.
67 J. G. Webster	Taralga	Taralga, Golspie, and Fullerton	One	do	22 0 0	31 Dec., 1876.

* Contractor allowed £30 per annum extra to convey mails an additional once a week between Binda and Bigga, from 1st September, 1875, and £26 per annum extra to convey mails an additional once a week between Bigga and Reid's Flat, from 1st December, 1875.

† Contract divided into two portions from 1st May, 1875, viz.:—George Reed, Cooma and Bombala, Bombala and Delegate, £358 per annum—John Ward, Cooma and Bobundarah, Bobundarah and Bombala, £140 per annum.

C—continued.

Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of termination of Contracts.
Names.	Addresses.					
68 Robt. J. Whip	Bannaby	Taralga and Bannaby (Contractor to carry out twice a-week service, if required, at £24 10s. per annum.)	One No. of times per week.	Horseback	£ s. d. 15 0 0	31 Dec., 1875.
69 Rd. Sheriff	Gunning	Gunning and Dalton	Two	do	28 0 0	31 Dec., 1875.
70 Geo. Couch	Rye Park	Dalton and Rye Park	One	do	34 0 0	31 Dec., 1875.
71 Patk. Sheekey (Transferred to James Roberts from 24 Aug., 1875.)	Yass	Yass, Tangmangaroo, and Burrowa, via Limestone and Lang's Creek; and Burrowa, Marengo, and Young.	Four	Coach, 2 or more horses,	320 0 0	31 Dec., 1877.
			Three	buggy, 1 or more horses		
*72 John Fahey	Burrowa	Burrowa and Reid's Flat, via Hovell's Creek and Phil's Creek.	One	Horseback	28 0 0	31 Dec., 1875.
73 George Couch	Rye Park	Burrowa and Rye Park	One	do	16 10 0	31 Dec., 1875.
74 E. Morgan	Marengo	Marengo and Cowra, via Bang Bang, Watemandra, and Crowther.	Two	1-horse buggy.	60 0 0	31 Dec., 1877.
75 James Roberts	Harden	Yass, Binalong, Cunningham, Murrumburrah, Harden, Wombat, and Young, via Demondrille, Stony Creek, and Spring Creek.	Three	2-horse coach.	300 0 0	31 Dec., 1875.
76 Geo. Burgess	Young	Young, Morangarell, and Marsden's.	One	Horseback	85 0 0	31 Dec., 1877.
†77 Crawford & Co.	Albury	Wagga Wagga, Cookardinia, and Albury, via Mangoplah and Gerogery. Contractors to carry out six times a-week service, if required, at £800 per annum.	Three	Coach, 2 horses.	600 0 0	31 Dec., 1876.
78 J. J. Ryan	Narrandera	Coramundra and Narrandera, via Merool Creek and Coman's. Contractor to travel alternately by the two routes, viz.:—To and from Coramundra and Narrandera, via Dacey's, O'Brien's, Coman's, Mimosa, Wallaruby, Cowarby, Boree (Floods), and Medium; and to and from Coramundra and Narrandera, via Dacey's, O'Brien's, Coman's, Timora, Quandry, Wehman's Station, Ramsay's and Johnson's Station, Bolera, and Medium.	Two	Horseback	230 0 0	31 Dec., 1877.
79 Denis Kavehneh	Sebastopol	June and Sebastopol, via Junee Reefs.	One	do	34 0 0	31 Dec., 1875.
80 Alex. Dyce	Gundaroo	Yass, Gundaroo Township, and Gundaroo, via Murrumbateman, and Nanima Station. (To travel alternately, if required, by Nanima and by Yass River routes.)	Two	do	52 0 0	31 Dec., 1876.
81 J. T. Jones	Taemas	Yass and Taemas, via Warroo...	do	do	35 0 0	31 Dec., 1875.
82 John Yabsley	Mundarloo via Gundagai.	Adelong Crossing-place, Shepherd's Town, Adelong, Gilmore, and Tumut.	Six	2-horse coach.	225 0 0	31 Dec., 1876.
83 A. J. Ballard (Transferred to E. Court from 5 April, 1875.)	Tumut	Tumut and Kiandra	One	Horseback	60 0 0	31 Dec., 1875.
84 D. & A. M'Gruer	Brungle	Tumut and Brungle	Two	do	40 0 0	31 Dec., 1875.
85 Andrew Paton	Mundarloo via Gundagai.	Gundagai and Clarendon, via Kimo, Nangus, Tenandra, and Wantabadgery.	do	do	80 0 0	31 Dec., 1876.
86 J. W. Turner	Wagga Wagga	Clarendon and Wagga Wagga, via Oura, Eunonyhareenyha.	do	do or coach.	100 0 0	31 Dec., 1876.
87 Cobb & Co.	Sydney	Tarcutta and Wagga Wagga	Three	2 or 4 horse coach.	220 0 0	31 Dec., 1876.
88 Peter Jno. Hartnett	Tarcutta Creek via Tarcutta.	Tarcutta to Murraguldrie, via Oberne, returning to Tarcutta, via Hartnett's and Nugent's, on the south side of the Tarcutta Creek.	Two	Horseback	49 0 0	31 Dec., 1877.
89 Patk. Townsell & John O'Connell.	Deniliquin	Deniliquin, Moulamein, and Balranald, via Moolpar.	do	Coach	510 0 0	31 Dec., 1875.
90 James Donohoe	Hay	Wagga Wagga, Narrandera, and Hay, via Angel's Station.	do	4-horse coach once a week; horseback once a week.	650 0 0	31 Dec., 1876.
91 A. W. Robertson and J. Wagner.	Melbourne, Victoria.	Hay, Wanganella, and Deniliquin, and Deniliquin, Moama, and Echuca.	Three Six	4-wheeled coach.	2,000 0 0	31 Dec., 1877.
92 James Donohoe	Hay	Hay, Maude, Oxley, and Balranald; and Hay, Maude, Oxley, and Balranald, via Gilam.	One do	Horseback		

* Contractor allowed £10 extra to travel via Frogmore, from 1 June to 31 December, 1875.
† Contractors to carry out six times a week service at £800 per annum, from 1 April, 1875.

C—continued.

Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of termination of Contracts.
Names.	Addresses.					
93 Chas. J. Silvester ...	Balranald	Balranald, Wakool, and Swan Hill, via Tooleybuc.	Two	2-horse coach.	140 0 0	31 Dec., 1876.
94 Wm. Hall	Balranald	Balranald and Ivanhoe, via Darling Block D, Hatfield Hotel, Til Til, Clare, Manfred, and Kilfera Station.	One	Horseback	178 0 0	31 Dec., 1876.
95 F. C. Piggin	Corowa	Jereelderie and Corowa	do	do	110 0 0	31 Dec., 1875.
96 Z. & S. Burton	Swan Hill, Victoria.	Balranald, Euston, and Wentworth. (Contractors to carry out twice a week service if required at £700 per annum.)	do	Coach, 3 horses.	450 0 0	31 Dec., 1877.
97 Z. & S. Burton	Swan Hill, Victoria.	Wentworth, Pooncarie, Menindie, and Wilcannia.	do	2-horse coach.	950 0 0	31 Dec., 1876.
98 Richd. Green	Menindie	Menindie and Mount Gipps ...	Once a fortnight.	Horseback	144 0 0	31 Dec., 1875.
99 Thos. Parsons	Mossgiel	Booligal, Mossgiel, and Wilcannia.	One	4-horse coach.	520 0 0	31 Dec., 1876.
100 Hy. Boran	Bourke	Wilcannia, Tankerooka, Toorale, and Bourke, travelling on either side of the Darling River.	do	Horseback	369 0 0	31 Dec., 1875.
101 F. Hughes	Wilcannia	Wilcannia and Hoodsville	Once a fortnight.	do	175 0 0	31 Dec., 1875.
102 Robert Vicary	Bringelly	Wilcannia and Hoodsville	do	do	165 0 0	31 Dec., 1875.
103 A. M'Glynn	Tumberumba	Adelong, Upper Adelong, Reedy Flat, Tumberumba, Tooma, Welaregang Station, Tintal-dra (Victoria), Welaregang Station, and Ournie.	Two	do	245 0 0	31 Dec., 1875.
104 James Crichton	Ten-mile Creek	Ten-mile Creek, Yarrara Reefs, and Tumberumba.	do	do	115 0 0	31 Dec., 1876.
105 Jno. Thos. Vardy, junr.	Ten-mile Creek	Ten-mile Creek and Walbundrie	do	do	65 0 0	31 Dec., 1877.
106 John A. Kennedy	Albury	Bowna and Ournie, via Camberoona, Wagra, Dora Dora, Talmalmei, Meracket, Jingillic, and Ournie Diggings.	do	do	120 0 0	31 Dec., 1875.
107 H. A. Crawford and M. Connolly.	Beechworth, Victoria.	Albury, Bungowannah, Howlong, Corowa, Mulwalla, Tocumwall, and Deniliquin.	do	Coach, 2 or more horses.	449 0 0	31 Dec., 1875.
108 H. Howard	Howlong	Howlong and Moorwatha	do	Horseback	40 0 0	31 Dec., 1877.
109 Ed. Clayton	Corowa	Corowa and Wahgunyah	Six or more	On foot ...	31 0 0	31 Dec., 1876.
*110 F. Baker	Dight's Forest	Albury and Dight's Forest	One	Horseback	20 0 0	31 Dec., 1877.
†111 Wm. Latta	Nelligen	Nelligen, Bateman's Bay, and Ulladulla.	do	do	60 0 0	31 Dec., 1876.
112 Ed. Lynch	Mullenderree	Bateman's Bay, Mogo, Mullenderree, and Moruya. (It is clearly understood that the mails shall leave Bateman's Bay immediately after the arrival there of the steamer from Sydney, and shall leave Moruya in time to meet the steamer leaving Bateman's Bay for Sydney, the Contractor finding adequate means for both requirements.)	Two	3-horse coach.	15 0 0	31 Dec., 1876.
113 Jas. M'Gregor	Cobargo	Moruya, Bergalia, Bodalla, and Eurobodalla.	Three	Horseback	79 0 0	31 Dec., 1876.
†114 Patk. Quin	Nerrigundah	Eurobodalla, Cobargo, and Bega	do	do	197 10 0	31 Dec., 1877.
115 Richard M. Bate	Tilba Tilba	Cobargo and Tilba Tilba	One	do	25 0 0	31 Dec., 1877.
116 W. H. Hopkins	Bega	Bega, Wolumla, Merimbula, Pambula, and Eden	Two	do	85 0 0	31 Dec., 1877.
117 Ed. Harper	Kiora	Moruya and Kiora	do	do	12 0 0	31 Dec., 1876.
118 Jas. M'Gregor	Cobargo	Eurobodalla and Nerrigundah	do	do	29 0 0	31 Dec., 1876.
119 Wm. Willcocks	Wagonga	Eurobodalla and Wagonga	One	do	26 0 0	31 Dec., 1876.
120 W. H. Hopkins	Bega	Bega, Kameruka, and Candelo	Two	do	40 0 0	31 Dec., 1877.
121 Wm. Shea	Pambula	Merimbula Wharf, and Post Offices, Merimbula, Pambula, and Eden.	One	do	38 0 0	31 Dec., 1877.
122 Saml. Martin	Towamba	Eden and Towamba	do	do	17 0 0	31 Dec., 1876.
‡123 A. Rixon	Bega	Merimbula and Bega on arrival and departure of steamer.	.....	2-horse coach.	35 0 0	31 Dec., 1877.
NORTHERN ROADS.						
1 Chas. C. Fagan	Gosford	Sydney, St. Leonards, Lane Cove, Hornsby, Gosford, and Kincumber.	Two	Horseback	263 0 0	31 Dec., 1876.

* Contractors allowed £15 per annum extra to convey mails once a week extra from 15th June, 1875.

† Contractors allowed £12 per annum extra to travel to and from Nelligen, Bateman's Bay, and Milton via Woodburn, instead of Nelligen, Bateman's Bay, and Ulladulla, from 15th June, 1875.

‡ Contractor allowed to relinquish contract on 31st August, 1875. See supplementary notice.

§ Contractor allowed £15 per annum extra to travel via Wolumla, from 1st April, 1875.

C—continued.

Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of termination of Contract.	
Names.	Addresses.						
2	Jas. Wamsley, jun....	Cooranbong	Gosford, Blue Gum Flat, Cooranbong, and Mount Vincent.	Two	Horseback	95 0 0	31 Dec., 1877.
3	Patrick Owens.....	Cooranbong	Cooranbong and Catherine Hill Bay.	do	do	30 0 0	31 Dec., 1875.
4	Irvine Coulter.....	Gosford.....	Gosford and Wamberal	do	do	25 0 0	31 Dec., 1877.
5	Jno. Collins.....	Pitt Water, via Manly.	Manly and Barranjoey, via Brady's, Jenkins's, Wilson's, and Collins'.	One	do	32 0 0	31 Dec., 1877.
6	Robt. Downie	Newcastle	Newcastle Wharf, Post Office, and Railway Terminus.	Fourteen or more.	1-horse cart.	100 0 0	31 Dec., 1876.
7	A. Miner	Newcastle	Newcastle and Stockton	Six or more	Boat	50 0 0	31 Dec., 1875.
8	Wm. Cole	Tomago	Tomago and Williamstown.....	Two	Horseback	14 0 0	31 Dec., 1877.
*9	Elisha and Daniel Young.	Stroud	Raymond Terrace, Limeburner's Creek, and Stroud. (Contractors to carry out, if required, a four times a week service at £500 per annum).	Three.....	2-horse conveyance.	400 0 0	31 Dec., 1877.
10	Jas. Cowan	Monkerai	Stroud, Langworthy's Gloucester, and Tinonee.	do	Horseback	290 0 0	31 Dec., 1875.
11	John Convery	Cundletown	Tinonee, Taree, Cundletown, and Port Macquarie.	do	do	328 0 0	31 Dec., 1875.
†12	John Convery	Cundletown	Cundletown, Ghinni Ghinni, and Croki.	Two	do	25 0 0	31 Dec., 1875.
13	Chris. Felten	Kempsey	Port Macquarie, Telegraph Point, East Kempsey, and Kempsey, via the Telegraph Line.	Three.....	do	100 0 0	31 Dec., 1875.
14	Chris. Felten	Kempsey	Kempsey, Frederickton, Seven Oaks, Gladstone, and Summer Island.	Two	do	40 0 0	31 Dec., 1877.
15	John M'Innes.....	Barrington River, Gloucester.	Gloucester, Nowendoc, and Walcha.	One	do	194 0 0	31 Dec., 1875.
16	John M'Lennan	Barrington River	Gloucester and Barrington River via Young's.	Two	do	26 0 0	31 Dec., 1875.
17	C. Dee	Myall River	Stroud and Myall River.....	do	do	85 0 0	31 Dec., 1876.
18	John Burke.....	Myall River	Myall River and Cape Hawke (Clarkin's Crossing place), via Upper Myall River and Bungal Station.	One	do	36 10 0	31 Dec., 1875.
19	R. & T. Dun (Dun Bros.)	Burraduc, Myall River.	Myall River and Foster, via M'Rae's Saw-mills, Burraduc, and Bungwall Flat.	do	do	80 0 0	31 Dec., 1875.
†20	B. Tetsell.....	Dingo Creek	Tinonee, Wingham, and Dingo Creek.	Two	do	55 0 0	31 Dec., 1876.
21	Robert Andrews.....	Woodside	Wingham and Woodside, Upper Manning.	do	do	40 0 0	31 Dec., 1876.
22	J. R. Hawkins and T. Gray.	Redbank	Tinonee and Redbank.	do	do	30 0 0	31 Dec., 1877.
||23	Jas. M'Inherney	Port Macquarie...	Port Macquarie, Huntingdon, and the junction of the Ellenborough and Hastings Rivers.	One	do	45 0 0	31 Dec., 1876.
24	M. Casey	Port Macquarie...	Port Macquarie, Ennis, and Hursley.	Two	do	34 0 0	31 Dec., 1875.
¶25	Chris. Felten	Kempsey	Kempsey, West Kempsey, and Warneton.	do	do	20 0 0	31 Dec., 1875.
*26	Gco. Henderson	Nambucca River	Frederickton, Fernmount, and Boat Harbour, via Nambucca and Bowraville.	do	do	131 0 0	31 Dec., 1875.
††27	Wm. Webber	Rolland's Plains..	Telegraph Point and Rolland's Plains. (Contractor to carry out thrice a week service, if required, at £33 per annum.)	do	do	28 0 0	31 Dec., 1877.
28	John T. Shepherd	Rainbow Reach...	Summer Island and Rainbow Reach.	do	do	20 0 0	31 Dec., 1876.
29	S. Fitzgerald, jun.	West Maitland...	Morpeth, East Maitland, and West Maitland.	Seven.....	Mail-cart—1 or more horses or on horseback.	39 0 0	31 Dec., 1876.
30	John Gordon	Waratah	Waratah and Tighe's Hill	Six	Horseback	15 0 0	31 Dec., 1876.
††31	John Gordon.....	Waratah	Waratah, Lambton, and Wallsend (including the delivery of letters, &c., to the residents throughout entire limits of Municipalities of Waratah, Lambton, and Wallsend.)	do	do	294 15 0	31 Dec., 1876.

* Contractor to carry out a four times a week service from 15 March, 1875.

† Contractor allowed £10 extra to convey an additional mail to Ghinni Ghinni and Croki from Cundletown on Monday, from 12th April, 1875. Allowance discontinued from 1st September, 1875.

† Contractor allowed £5 per annum extra to convey the mails an additional once a week between Tinonee, Wingham, and Dingo Creek, from 1st October, 1875.

‡ Contractor allowed £15 per annum extra to convey mails an additional once a week from 1st August, 1875.

¶ Contractor allowed £16 per annum extra to convey mails an additional once a week from 1st March, 1875.

|| Contractor allowed £12 per annum extra to convey a mail back from Kempsey to Frederickton once a week, from 1st September to 1st November, 1875.

** Contractor to carry out a thrice a week service at £33 per annum, from 1st February, 1875.

†† Contractor allowed £85 per annum extra to convey extra mail from Waratah to Lambton and Wallsend on arrival of train from Newcastle at 5 p.m. daily, from 19th September to 19th November, 1875.

C—continued.

Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of termination of Contracts.
Names.	Addresses.					
32 John Bluford	Largs	East Maitland, Largs, and Paterson, to travel via Belmore Bridge in times of floods, with branch mail from and to Largs and Woodville.	No. of times per week. Seven	4-wheeled conveyance 2 or more horses.	£ s. d. 76 0 0	31 Dec., 1877.
33 Geo. Brooker, jun.	Gresford	Paterson, Vacey, and Gosford	do	Horseback	32 0 0	31 Dec., 1875.
34 Geo. Brooker, jun.	Gresford	Gresford and Lostock	Two	do	16 0 0	31 Dec., 1875.
* 35 H. J. Sivyer	Eccleston	Gresford Lewinsbrook, and Eccleston.	One	do	19 13 4	31 Dec., 1877.
36 R. J. Fitzgerald	West Maitland	East Maitland and Mount Vincent.	Three	Horseback or coach, 2 or more horses.	34 10 0	31 Dec., 1876.
(Transferred to S. Fitzgerald jun., from 1st October, 1875.)						
37 S. Fitzgerald, jun.	West Maitland	Railway Station, High-street, and Post Office, West Maitland.	Twenty-eight or more.	Coach 2 or more horses or horseback	29 10 0	31 Dec., 1876.
38 R. J. Fitzgerald	West Maitland	West Maitland, Bishop's Bridge, Millfield, Cessnock, and Wollombi, with branch post to and from Millfield and Ellalong.	Three	do	135 0 0	31 Dec., 1876.
(Transferred to S. Fitzgerald, junior, from 1 October, 1875.)						
39 R. J. Fitzgerald	West Maitland	Wollombi and Laguna	do	2-wheeled coach or horseback	20 0 0	31 Dec., 1877.
(Transferred to S. Fitzgerald, junior, from 1 October, 1875.)						
40 Jas. A. Tulloch	Branxton	Railway Station and Post Office, Branxton.	Fourteen or more.	Horseback	35 0 0	31 Dec., 1877.
41 Wm. Claxton, senior	Singleton	Railway Station and Post Office, Lochinvar.	Thirteen or more.	Spring cart	39 0 0	31 Dec., 1876.
† 42 S. Fitzgerald, junior	West Maitland	Morpeth and Hinton	Fourteen	Horseback or by 2 or more horse coach.	30 0 0	31 Dec., 1876.
43 R. J. Fitzgerald	West Maitland	Hinton, Seaham, Clarence Town, Brookfield, and Dugong. (If floods prevent the mails being conveyed between Hinton and Seaham, Contractor must travel via West Maitland and the Belmore and Dunmore Bridges.)	Three	2 or 4 horse coach.	75 0 0	31 Dec., 1875.
(Transferred to S. Fitzgerald, junior, from 1 October, 1875.)						
44 Joseph Collier	Dungog	Dungog and Bandon Grove	do	Horseback	28 0 0	31 Dec., 1875.
45 Jas. Thompson	Bandon Grove	Bandon Grove and Underbank	One	do	24 0 0	31 Dec., 1877.
46 Colin Cowan	Monkerai	Dungog and Monkerai	do	do	12 10 0	31 Dec., 1875.
47 Colin Cowan	do	Monkerai and Langworthy's	do	do	10 0 0	31 Dec., 1876.
48 Henry S. Carpenter	Miller's Forest	Morpeth and Miller's Forest Post Offices (or 1 mile beyond the present site of Miller's Forest Post Office, in case of the removal of that Office.)	Six	do	54 0 0	31 Dec., 1875.
49 R. Snelson	Singleton	Railway Station and Post Office, Singleton.	Fourteen or more.	Omnibus, 1 or more horses.	20 0 0	31 Dec., 1876.
50 F. Parmeter	Warkworth	Singleton, Warkworth, and Jerry's Plains, via Cockfighter's Creek, and in time of flood, via Thorley's.	Three	Horseback	53 0 0	31 Dec., 1875.
51 Wm. Wells	Howe's Valley	Warkworth and Howe's Valley	One	do	36 0 0	31 Dec., 1875.
52 Jas. Rowe	Singleton	Singleton, Vere, and Fordwich	Three	do	40 0 0	31 Dec., 1875.
53 Wm. Doyle	Scott's Flat	Singleton, Scott's Flat, Westbrook, and Glendon Brook.	Two	do	49 15 0	31 Dec., 1875.
54 Thos. Eather	Goorangoola	Singleton, St. Clair, Bridgeman, and Goorangoola, via Goorangoola Head Station.	One	do	49 0 0	31 Dec., 1876.
55 G. A. Hewett	Camberwell	Glennie's Platform and Post Office, Camberwell.	Six	do	25 0 0	31 Dec., 1876.
56 Thos. Linene	Muswellbrook	Railway Station and Post Office, Muswellbrook.	Fourteen or more.	Spring cart	34 0 0	31 Dec., 1877.
57 W. Nowland	do	Muswellbrook and Wybong	Two	Horseback	32 10 0	31 Dec., 1875.
58 Cobb & Co.	Sydney	Muswellbrook, Denman, Merriwa and Cassilis. (Contractor will be required to provide boat at Denman.)	Three	2 or 4-horse coach.	500 0 0	31 Dec., 1877.
59 Ormonde M'Kellar	Coonabarabran	Cassilis, Turee, and Coolah	Two	Horseback	69 15 0	31 Dec., 1876.
60 Ormonde M'Kellar	do	Coolah and Coonabarabran	One	do	60 0 0	31 Dec., 1876.
61 Jas. Wiblin	do	Coonabarabran and Boggabri, via Melville's Plains.	do	do	80 0 0	31 Dec., 1877.
62 John Murphy	Denman	Denman and Kerrabee, via Bellmont.	Three	do	60 0 0	31 Dec., 1875.
63 Thos. Trotter	Cassilis	Cassilis, Uarbry, and Denison Town, via Tongua.	Two	do	117 0 0	31 Dec., 1875.
64 Henry Cassidy	Coolah	Coolah and Denison Town	One	do	36 0 0	31 Dec., 1875.

* Allowed £19 13s. 4d. per annum extra to carry out additional once a week service, from 15th February, 1875.

† Contractor allowed 1s. per diem extra to convey to East Maitland the mails which arrive at Morpeth after the train has left there, from 1 January, 1875.

‡ Allowed to relinquish Contract 31 August, 1875. (Vide Supplementary notice.)

C—continued.

Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of termination of Contracts.
Names.	Addresses.					
65 Jas. Jones	Gunnedah.....	Coolah, Tambar Springs, and Gunnedah, via Oakey Creek and Mellaly's.	No. of times per week. One	Horseback	£ s. d. 80 0 0	31 Dec., 1877.
66 Ormonde M'Kellar	Coonabarabran...	Coonabarabran, Baradine, and Urawilky.	do	do	49 15 0	31 Dec., 1876.
67 W. J. Weston, junr.	Cobbora.....	Denison Town and Cobbora ...	Two	do	59 0 0	31 Dec., 1875.
68 Thos. Patterson ..	Aberdeen	Aberdeen and Rouchell Brook	One	do	14 0 0	31 Dec., 1877.
69 Wm. Pinkerton ..	Scone.....	Scone and Moonan Brook	Two	do	70 0 0	31 Dec., 1876.
70 F. Smith	Scone.....	Scone and Merriwa via Owen's Gap, Wybong and Hall's Creek.	One	do	60 0 0	31 Dec., 1877.
71 Cobb & Co.	Sydney	Railway Station, Murrurundi, and Post Offices, Murrurundi, Willow-tree, Wallabadah, Goonoo Goonoo, Tamworth, Moonbi, Bendemeer, Uralla, and Armidale.	Six	Coach, 2 or 4 horses.	2,600 0 0	31 Dec., 1876.
*72 Edward Warland...	Stanborough.....	Stanborough and Tingha.....	Two	Horseback	54 0 0	31 Dec., 1876.
73 R. J. Nowland	Gunnedah.....	Willow-tree, Quirindi, Breeza, Gunnedah, Boggabri, and Narrabri.	Three.....	4-horse coach when possible otherwise pack horse.	900 0 0	31 Dec., 1876.
74 R. J. Nowland	Gunnedah.....	Narrabri, Wee Waa, and Walgett	Two	Once a week coach, once a week horseback.	550 0 0	31 Dec., 1877.
75 Malcolm Morrison.. (Transferred to John Pearce, from 1 July, 1875.)	Walgett.....	Walgett, Brewarrina, and Bourke, via Moorabie (to travel once a week on north side of river via Milrea, Boorooma, Ulah, and Gingii.)	do	Horseback	294 0 0	31 Dec., 1876.
76 Ed. Rooney	Quirindi	Quirindi and Pine Ridge, via Walhollow, 4 D., and Mooki Stations.	do	do	50 0 0	31 Dec., 1875.
†77 Wm. Gordon	Millie.....	Narrabri and Moree	do	do	150 0 0	31 Dec., 1875.
†78 Geo. Shaw.....	Moree	Moree and Warialda, via Boolaroo.	One	do	63 0 0	31 Dec., 1876.
79 A. S. Wilde	Millie.....	Millie and Mogil Mogil, via Bunna Bunna, Buleori, Oriel, Munger, Burrandoon, Colli-mungle, and Werribilli.	do	do	80 0 0	31 Dec., 1876.
80 T. H. Hassall	Moree	Moree and Kunopia	Two	do	170 0 0	31 Dec., 1877.
81 Geo. Lovell	Goondawindi ..	Kunopia and Goondawindi.....	One	do	54 0 0	31 Dec., 1876.
§82 Jas. Richards	Moree	Moree and Mungindie, via Curragundi, Bunaba, and Yarrowa	do	do	119 0 0	31 Dec., 1875.
83 Wm. M'Kenzie.....	Pilliga	Pilliga, Baradine, and Coonamble	do	do	84 0 0	31 Dec., 1875.
84 Alex. Cormie	Pilliga	From Pilliga to Capps Millie, thence to Bucklebone, Burren, Capel's and Cryan, returning to Pilliga by the same route.	do	do	65 0 0	21 Dec., 1876.
85 M. Reddon	Millie.....	Walgett, Mogil Mogil, and Mungindie, via Collarenabri and Barrington.	do	do	120 0 0	31 Dec., 1875.
86 C. J. Conway	Brewarrina	Brewarrina and Brenda, via Morrabilla, Bundabulla, Willah, Muckerawa, Bumble, Bree, Police Station and Goodooga.	do	do	125 0 0	31 Dec., 1876.
87 P. Gilmartin	Brewarrina	Brewarrina, Talawanta, and Brenda, via Bundabulla, Llangboyde, on the Biree, Weilmoriugh Station, on the Culgoa, Tatala, Guomery, and the Biree Stations.	do	do	95 0 0	31 Dec., 1877.
||88 D. N. Morrisson ..	Walgett.....	Walgett, Yarrambah, Goodooga, and Brenda (Tate's Station, Culgoa River), via "Gideon's Inn," Forester's, on the Barwon and Narran River, Thorold's on Bokhara River and Currawillinghi.	do	do	137 0 0	31 Dec., 1876.
89 Hy. Hall	Murrurundi	Murrurundi, Yarraman, and Tambar Springs, via Bundella.	Two	do	139 0 0	31 Dec., 1877.
90 Wm. M'Ilveen, jun.	Moonbi	Wallabadah, Nundle, and Bowling Alley Point, with a branch mail to and from Nundle and Hanging Rock, via Mount Pleasant.	Three.....	do	178 0 0	31 Dec., 1875.

* Contractor allowed £27 per annum extra for once a week additional service, from 1 May, 1875.

† Allowed £30 extra to convey mails by coach once a week, and horseback once a week, from 1 July to 31 December, 1875.

‡ Contractor allowed £72 per annum extra to convey mails an additional once a week from 1 July 1875.

§ Contractor died 15 June, 1875; arrangements made with Matthew M'Cube to convey the mails from 1 July to 31 December, 1875, at the rate of £140 per annum.

|| Allowed £40 per annum extra, to travel between Currawillinghi and Goodooga, on the south side of the Bohira and Biree Rivers, via the "Fingerpost Inn" and Doyle's station, from 1 October, 1875.

C—continued.

Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of termination of Contracts.
Names.	Addresses.					
*91 Michael Daley	Currumbula	Goonoo Goonoo and Currumbula.	Two	Horseback	£ s. d. 24 0 0	31 Dec., 1877.
92 Wm. M'Iveen, jun.	Moonbi	Bowling Alley Point, Dungowan, and Tamworth, via Nemingha Flat (to travel along the Peel River).	One	do	52 0 0	31 Dec., 1876.
93 Geo. Wilkinson & A. L. Bowden.	Tamworth	Tamworth, Manilla, Barraba, Bingera, and Warialda, via Barker's, North Bingera.	Two	2 or more horse covered coach.	490 0 0	31 Dec., 1876.
94 John Crane	Warialda	Warialda, Yetman, and Goondawindi, via Gournama.	One	Horseback	150 0 0	31 Dec., 1875.
95 C. J. Walker	Barraba	Barraba and Moree, via Tarecla, Mount Lindsay, Currangandi, Ullembarella, Eulourie, Pallal, Derra, Banghet, Gimeroi, Gravesend, Binnigi, and Baldwin's.	do	do	110 0 0	31 Dec., 1877.
†96 Geo. Shaw	Moree	Barraba and Moree, via Crawley's Station, Currangandi, Ullembarella, Eulourie, Rocky Creek, Terri-hi-hi, and Ticanna.	do	do	78 0 0	31 Dec., 1876.
97 John Crane	Warialda	Warialda and Goondawindi, via Oragon, Gunywarildi, Yalaroi, Tooloona, Coppermarenbillen, and Boggabilli.	do	do	130 0 0	31 Dec., 1877.
98 A. L. Janison	Tamworth	Tamworth, Somerton, Carroll, and Gunnedah.	Two	4-wheeled coach, 2 or 4-horses.	90 0 0	31 Dec., 1875.
†99 J. J. M'Cormack	Walcha	Walcha and Glen Morrison	One	Horseback	15 0 0	31 Dec., 1877.
‡100 J. J. M'Cormack	Walcha	Bendemeer and Walcha	Two	do	55 0 0	31 Dec., 1877.
§101 John Crane	Warialda	Inverell and Warialda, via Bannockburn, Piersby Hall, Reedy Creek, Gragin, and Myalla.	One	do	100 0 0	31 Dec., 1876.
102 Geo. Jones	Rocky River	Urulla and Rocky River	Three	do	26 0 0	31 Dec., 1875.
103 Wm. Harman	Grafton	Armidale and Grafton, via Gara Station.	One	do	130 0 0	31 Dec., 1875.
¶104 N. O'Donnell	Armidale	Armidale and Kempsey, via Toorookoo, Nulla Nulla, and Ebor.	do	do	109 0 0	31 Dec., 1877.
105 W. M. Stevenson	Armidale	Armidale, Uralla, and Walcha.	do	2-horse coach.	70 0 0	31 Dec., 1876.
106 Rd. Marshall	Armidale	Armidale and Bundarra	do	Horseback	80 0 0	31 Dec., 1877.
107 Patk. Wade	Armidale	Armidale, Wandsworth, Elsmore, and Inverell, via Eversleigh, Ollera, Moredon, Paradise Creek, and Newstead.	Two	do	349 0 0	31 Dec., 1877.
¶108 Thos. Parkinson	Inverell	Inverell and Ashford, via Byron and Buckalla.	do	do	110 0 0	31 Dec., 1876.
109 Alex. Pillar	Tenterfield	Ashford, Bonshaw, and Tenterfield, via Clifton Station and Mole Station and the south side of the Severn River.	One	do	116 0 0	31 Dec., 1875.
110 Thos. Parkinson	Inverell	Bonshaw and Yetman	do	do	150 0 0	31 Dec., 1875.
111 Richd. Marshall	Armidale	Armidale, Oban, and Paddy's Gully, via Guyrab, Rock Vale, and Aberfoil.	do	do	100 0 0	31 Dec., 1877.
112 Thomas Clark	Oban	Falconer, Oban, and Paddy's Gully.	do	do	53 0 0	31 Dec., 1875.
113 Patk. Wade	Armidale	Glen Innes and Wellingrove ... Wellingrove and Inverell, via King's Plains. Wellingrove and Inverell, via Waterloo.	Two ... One ... do ...	do	149 0 0	31 Dec., 1876.
114 Wm. Krauss	Wellingrove	Wellingrove and Vegetable Creek, via Strathbogie.	do	do	59 0 0	31 Dec., 1876.
115 Cobb & Co.	Sydney	Glen Innes, Tent Hill, and Vegetable Creek.	Three	Coach	150 0 0	Contract to terminate at three months notice on either side.
**116 Jas. Braham	Glen Innes	Glen Innes, Dalmorton, South Grafton, and Grafton, via Shumbigne, Buccarimbi, Broad Meadows, Newton Boyd, and the Big Hill.	Two	Horseback	240 0 0	31 Dec., 1876.
117 F. Collins	Deepwater	Deepwater, Table Land, and Black Swamp.	One	do	65 0 0	31 Dec., 1875.

* Contractor allowed £16 per annum extra to convey mails additional once a week, from 17 November, 1875.

† Allowed to relinquish contract, 31 August, 1875. (Vide Supplementary notice.)

‡ Allowed to relinquish contracts 30th September, 1875. (Vide Supplementary notice.)

§ Contractor allowed £100 per annum to convey mails twice a week from 1st Sept., 1875.

¶ Contractor to travel via Toorookoo, Nulla Nulla, Poudre Creek, Towel Creek, Long Flat, Giogla, Wollumbie, and Hillgrave, instead of by present route.

‡ Contractor allowed £55 per annum extra to carry mails once a week between Ashford and Bonshaw, in connection with Inverell and Ashford contract, from 1st October 1875.

** Contractor allowed £110 per annum to convey mails by coach, from 15th June, 1875.

C—continued.

Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of termination of Contract.
Names.	Addresses.					
*118 Wm. Nond	Grafton	Tenterfield, Timbarra, Lunatic Reefs, Drake, Tabulam, Copmanhurst, and Grafton, calling at Eatonswill, Smith's Flat, Gordon Brook, and Yulgilbar (in time of flood to travel by the surveyed road).	Two <small>No of times per week.</small>	Horseback	£ 250 0 0	3 Dec., 1877.
119 Thos. Walsh (Transferred to Wm. W. Orchard from 1st April, 1875.)	Casino	Grafton and Lawrence	Two	do	70 0 0	31 Dec., 1876.
120 John L. Vesper	Casino	Lawrence and Casino	do	2-horse coach.	110 0 0	31 Dec., 1877.
121 W. Drury	Lawrence	Lawrence and Tabulam	One	Horseback	96 0 0	31 Dec., 1877.
122 Francis Alcock (Transferred to Thos. Hart from 1st January, 1875.)	Casino	Casino and Lismore; and Lismore, Alstonville, and Ballina.	Two	do	94 0 0	31 Dec., 1876.
123 J. D. O'Kelly (Contract cancelled. Vide supplementary notice.)			One			
123 J. D. O'Kelly (Contract cancelled. Vide supplementary notice.)	Casino	Lismore and Kynnumboon (Contractor to carry out if required in lieu of this service, a service from and to Lismore and Tweed Junction, via Byangum and Murwillumbah, once a week, at £90 per annum.)	Two	do	99 0 0	31 Dec., 1877.
124 Jas. Cox	Tweed River, Casino.	Kynnumboon and Tweed Junction. (Contractor to carry out a thrice a week service if required at £40 per annum.)	do	Boat	30 0 0	31 Dec., 1877.
125 E. W. Stocks	Alstonville	Alstonville and Post Office, Wardell.	do	Horseback & boat.	41 2 6	31 Dec., 1877.
†126 Francis Alcock	Casino	Tabulam and Tooloom	One	Horseback	39 0 0	31 Dec., 1876.
127 Wm. Nond	Grafton	Grafton, Lionsville, and Solferino (Contractor to travel by the new line of road.)	Two	do	90 0 0	31 Dec., 1877.
128 Henry E. Bennett	Fernmount	Grafton and Fernmount, via Nicholson's Glenreagh, and Coutt's Crossing, Kangaroo Creek (to travel in time of flood by the Bridge on the Old Armidale Road).	One	do	120 0 0	31 Dec., 1875.
121 F. Alcock (Transferred to Thos. Hart from 1st Jan., 1875.)	Casino	Casino, South Casino, Codrington, Coraki, and Woodburn.	Two	do	80 0 0	31 Dec., 1877.
*130 Francis Alcock	Casino	Casino and Tabulam, via Woorooloolgin, Dyraaba, and Sandiland.	One	do	41 0 0	31 Dec., 1876.
131 Jas. Grady	Casino	Casino and Unumgar (Sherwood's Station).	do	do	29 0 0	31 Dec., 1875.
132 F. Mossmann	Ruby Creek	Maryland and Ruby Creek	Two	do	50 0 0	31 Dec., 1875.
133 Jas. Lang	Woodburn	Clarence River Heads (Woolli) and Ballina, via Woodburn and Wardell.	do	do	189 0 0	31 Dec., 1875.
134 W. Gollan	Woodburn	Woodburn, Wyrallah, and Lismore (Contractor to travel via Gundurimba if required).	do	do	110 0 0	31 Dec., 1875.
SUBURBAN LINES.						
1 Wm. Williams	Watson's Bay	General Post Office, St. Mark's, and Watson's Bay.	Twelve	Omnibus, 2 horses.	65 0 0	31 Dec., 1876.
2 Hy. Ramsay	Botany	General Post Office, Waterloo, and Botany.	do	Omnibus, 2 or more horses.	40 0 0	31 Dec., 1875.
3 W. H. Ireland	Enfield	General Post Office, Bankstown, and Upper Bankstown, via Carperdown, Petersham, Ashfield, Enfield, and Bark Huts.	Six	Omnibus, 2 horses.	50 0 0	31 Dec., 1875.
4 Wm. Lowe	Tempe	General Post Office, St. Peter's and Tempe.	Twelve	Coach drawn by 2 horses.	105 0 0	31 Dec., 1875.
		St. Peter's, Koggarah, and Gannon's Forest.	Six	Horseback		
5 Jas. Challinor	Coogee	General Post Office, Randwick, and Coogee.	Twelve	1 or 2 horse conveyance.	70 0 0	31 Dec., 1877.
6 Edward M'Namara	103, Dowling-street, Sydney.	General Post Office, Sydney, and Wharfs, on arrival and departure of English Mails.		Spring vans and drays.	80 0 0	Contract to terminate on one month's notice on either side.

* Contractor allowed £20 per annum extra to travel via Newbold Station, Newbold Grange House, and the New Copper Mines, from 1st July, 1875.
 † Contractor failed to carry out contract; arrangements made with George H. Pearce to perform same from 13th March, 1875.
 ‡ Contractor failed to carry out contract. Arrangements made with George H. Pearce to perform same from 3th March, 1875.

C—continued.

PARTICULARS of a Contract entered into for the Conveyance of Post Office Mails, from the 20th January, 1875.

No.	Contractor's		Postal Line.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractor.	Date of termination of Contract.
	Name.	Address.					
124	Carlo Marina	Moppita, Young	SOUTHERN ROAD. Marsden's and Wollongough, via Hiawatha.	No. of times per week. One	Horseback	£ s. d. 75 0 0	1877. 31 Dec.

PARTICULARS of a Contract entered into for the Conveyance of Post Office Mails, from the 1st February, 1875.

No.	Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of termination of Contracts.
	Names.	Addresses.					
102	Robt. Moore	Ilford	WESTERN ROAD. Ilford and Crudine	No. of times per week. One	Horseback	£ s. d. 25 0 0	1875. 31 Dec.
103	Wm. Larnach	Caloola	Caloola and Bartlett's Railway Main Camp.	Three.....	do	25 0 0	31 Dec.
104	John Costello	Tea-pot Swamp...	Caloola and Tea-pot Swamp ...	One	do	9 10 0	31 Dec.
135	Benja. Joyce	Bo Bo Creek, via Tinonee.	NORTHERN ROAD. Tinonee and Kimbriki, via Martin's, Latimer's, Monk's, Chapman's, Moore's, Murray's, Weatherley's, Mossman's, and Smith's.	Two	do	25 0 0	31 Dec.
136	John Dyter	Collyblue	Pine Ridge and Collyblue (to travel via Kickerbil if required)	do	do	30 0 0	31 Dec.
137	John Hough, jun.	Bundebat, via Myall River.	Myall River and Hawk's Nest	One	do	50 0 0	31 Dec.
*138	James Wamsley	Cooranbong	Wallsend and Cooranbong	Two	do	49 2 0	31 Dec.

* Contractor did not commence to carry out Contract until 15th March, 1875.

PARTICULARS of Contracts entered into for the Conveyance of Post Office Mails, from 15th February, 1875.

No.	Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of termination of Contracts.
	Names.	Addresses.					
105	Edward Carroll	Eskbank	WESTERN ROAD. Lithgow and Eskbank.....	No. of times per week. Seven.....	Horseback	£ s. d. 31 2 6	1875. 31 Dec.
139	James O'Neill	Keepit	NORTHERN ROAD. Somerton and Keepit (Namoi River).	Two	do	36 0 0	31 Dec.

PARTICULARS of a Contract entered into for the Conveyance of Post Office Mails, from the 1st March, 1875.

No.	Contractor's		Postal Line.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractor.	Date of termination of Contract.
	Name.	Address.					
*93	John Greenland	Tenandra	WESTERN ROAD. Warren and Tenandra	No. of times per week. One	Horseback	£ s. d. 32 0 0	1875. 31 Dec.

* In lieu of Contract No. 93, Western Road, in General list.

PARTICULARS of a Contract entered into for the Conveyance of Post Office Mails, from the 15th March, 1875.

No.	Contractor's		Postal Line.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractor.	Date of termination of Contract.
	Name.	Address.					
106	William George Cross...	Wiseman's Ferry	WESTERN ROAD. Wiseman's Ferry and Lower Hawkesbury. (Contractor to carry out a bi-weekly service if required, at the price men- tioned in his tender, viz., £20 per annum.)	No. of times per week. One	Horseback	£ s. d. 12 0 0	1875. 31 Dec.

C—continued.

PARTICULARS of Contracts entered into for the Conveyance of Post Office Mails, from the 1st May, 1875.

No.	Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of termination of Contracts.
	Names.	Addresses.					
107	John M'Donald	Kerrabee	WESTERN ROAD. Wollar and Kerrabee, via By-long.	No. of times per week. Two	Horseback	£ s. d. 60 0 0	1875. 31 Dec.
140	C. A. H. Walker	Carroll	NORTHERN ROAD. Narrabri, Rocky Glen, and Coonabarabran, via Bohemia, Robinson's, Ryan's Bowles, Kain's Cucubi, Pebbles, Borah, Yaminabal, Sandbank, Dandy, and Slattery's.	One	do	120 0 0	31 Dec.
141	John Walsh	Tirrania	Lismore and Tirrania	do	do	12 0 0	31 Dec.
*123	Alex. C. Simpson	Casino	Lismore and Kynnumboon. (Contractor to carry out a bi-weekly service if required, at the price mentioned in his tender, viz., £170 per annum.)	do	do	119 0 0	31 Dec.

* In lieu of Contract No. 123, Northern Road, in general list.

PARTICULARS of Contracts entered into for the Conveyance of Post Office Mails, from the 1st June, 1875.

No.	Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of termination of Contracts.
	Names.	Addresses.					
108	Patrick Kelly	Meranburn	WESTERN ROAD. Molong and Meranburn	No. of times per week. One	Horseback	£ s. d. 40 0 0	1875. 31 Dec.
142	Arthur W. Mallon	Bingera	NORTHERN ROAD. Bingera and Inverell	do	do	100 0 0	31 Dec.
143	George Guest, jun.	Cooboobiendi North, via Boggabri.	Boggabri and Bariaba, via Guest's, Chamberland's, Wolfe's, Clifford's, Carter's, Douse's, Harvey's, Eather's, Billeyena, Cox's Station, Fitzgerald's, Leard's, Goldman's, Birreny, Coolah Station (Lloyd's), and Burinda Station (St. Clair's).	do	do	90 0 0	31 Dec.

PARTICULARS of Contracts entered into for the Conveyance of Post Office Mails, from the 1st July, 1875.

No.	Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of termination of Contracts.
	Names.	Addresses.					
109	Dennis Clancey	Bob's Creek, near Molong.	WESTERN ROAD. Molong and Cheeseman's Creek	No. of times per week. Three	Horseback	£ s. d. 58 12 0	1875. 31 Dec.
110	Sidney Brown	Ilford	Dungaree and Mudgee	Two	2-horse coach.	50 0 0	31 Dec.
144	Michael Reddon	Wallgett	NORTHERN ROAD. Mogil Mogil and Currawillinghi, via Bagot's, Medicott's, Brown's and Hill's stations.	One	Horseback	99 15 0	31 Dec.
145	Thomas M'Clelland	Goran Lake, Howe's Hill, via Collyblue.	Collyblue and Wondoba, via Darby's Down's, M'Clelland's, Goran Lake, Lee's Tally-ho, and Gill's New Wondoba.	Two	do	38 10 0	31 Dec.
146	Henry Gill	Grafton	Steamer's Wharf, Grafton, and Post Office, Grafton, on arrival and departure of steamers, including the clearing of all Pillar Receivers at Grafton, twice or oftener daily.	.....	.....	52 0 0	31 Dec.
147	William N. Cain	Gosford	Gosford and Blackwall	Two	Boat	20 0 0	1876. 31 Dec.
125	Rd. Calthorpe	Mummell	SOUTHERN ROAD. Muttbilly and the school-house at Merrill, via the school-house at Parkesburn.	do	Horseback	18 0 0	1875. 31 Dec.

C—continued.

PARTICULARS of Contracts entered into for the Conveyance of Post Office Mails, from 1st September, 1875.

No.	Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of termination of Contracts.
	Names.	Addresses.					
111	Fredk. C. Lloyd	Bland, Grenfell...	WESTERN ROAD. Grenfell and Marsdens	No. of times per week. Two	Horseback	£ s. d. 120 0 0	1876. 31 Dec.
128	Henry M'Cooley	Woore	SOUTHERN ROAD. Woore, Pejar, and Crookwell, via Cotta Walla.	One	do	29 10 0	31 Dec.
129	George H. Stivens	Narrandera	Urana and Narrandera, via Urana Station, Coonong, Wid- gewa, Yarrabee, Cuddle Town- ship and Gillenbar.	do	do or buggy.	78 0 0	31 Dec.
130	Charles Hilton.....	Warre, Narran- dera.	Narrandera and Rankin's Springs, via Medium, Mum- bledool, Barellan, North Go- geldra, Binya, Ballandra, and Conapaira.	do	Horseback	120 0 0	31 Dec.
131	Charles Hilton.....	Warre, Narran- dera.	Rankin's Springs, and Wollon- gough, via Gorman's Hill West and Bygaloree.	do	do	100 0 0	31 Dec.
*114	John M'Gregor	Bega	Eurobodalla, Cobargo, and Bega	Three.....	do	247 10 0	1877. 31 Dec.
† 50	John Vigers.....	Jerry's Plains ...	NORTHERN ROAD. Singleton, Warkworth, and Jerry's Plains, via Cockfighter's Creek, and in time of flood via Thorley's.	do	Horseback once a week, and 4-wheeled conveyance twice a week.	80 0 0	31 Dec.
‡ 96	Thos. R. Bushell.....	Barraba.....	Barraba and Moree, via Craw- ley's Station, Currangandi, Ullembarrella, Eulorie, Rocky Creek, Terri-hi-hi, and Ti- canna.	One	Horseback	99 0 0	1876. 31 Dec.
150	J. S. Ducat	Moonaba, West Kempsey.	West Kempsey and Ingliston...	do	do	16 0 0	31 Dec.

* In lieu of No. 114, Southern Road, in general list. † In lieu of No. 50, Northern Road, in general list. ‡ In lieu of No. 96, Northern Road, in general list.

PARTICULARS of a Contract entered into for the Conveyance of Post Office Mails, from the 1st October, 1875.

No.	Contractor's		Postal Line.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractor.	Date of termination of Contract.
	Name.	Address.					
155	John S. Hart	Raymond Terrace	NORTHERN ROAD. From Raymond Terrace to New- castle, six times a week, and from Newcastle to Raymond Terrace twice a week.	No. of times per week.	Steam- launch.	£ s. d. 150 0 0	1876. 31 Dec.

PARTICULARS of Contracts entered into for the Conveyance of Post Office Mails, from the 1st November, 1875.

No.	Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of termination of Contracts.
	Names.	Addresses.					
136	Robert Lamb	Huskisson.....	SOUTHERN ROAD. Tomerong and Huskisson. (Contractor to meet the Nowra and Wandandian Contractor at Tomerong.)	No. of times per week. Three.....	Horseback	£ s. d. 29 0 0	1876. 31 Dec.
137	John Clements	Woolbrook, Bigga	Bigga and Greenmantle	One	do	13 0 0	31 Dec.
138	Richard Elliott	Gundaroo.....	Queanbeyan and Gundaroo, via Village of Sutton.	do	do	23 0 0	31 Dec.
156	Peter A. Haydon	Blanford	NORTHERN ROAD. Blanford and Timor (Silver Mines, near Belltrees.)	do	do	49 10 0	31 Dec.

C—continued.

PARTICULARS of Contracts entered into for the Conveyance of Post Office Mails, from the 1st December, 1875.

No.	Contractors'		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of termination of Contracts.
	Names.	Addresses.					
139	Thomas Moran	Goulburn	SOUTHERN ROAD. Railway Station and Post Office, Goulburn.	No. of times per week. Twelve or more.	Coach, one or more horses.	£ s. d. 49 8 0	1877. 31 Dec.
*135	Arthur Morehead	Greendale	Bringelly and Greendale.....	Six	Horseback	22 10 0	Contract to terminate at one month's notice on either side.

* In lieu of Contract No. 135, Southern Road, in Supplementary list.

PARTICULARS of a Contract entered into for the Conveyance of Post Office Mails, from the 20th December, 1875.

No.	Contractor's		Postal Lines.	Frequency of Communication.	Mode of Conveyance.	Annual Amount payable to Contractors.	Date of termination of Contract.
	Name.	Address.					
140	James Waterworth	Camden.....	SOUTHERN ROAD. Railway Station and Post Office, Campbelltown.	Five times or oftener daily.	Horseback	£ s. d. 30 0 0	Contract to terminate at one month's notice on either side.

D.

MONEY ORDERS.

RETURN showing the number and amount of Money Orders issued, and the number and amount of Money Orders paid at each Office in New South Wales, during the year 1875.

Name of Office.	Orders Issued.		Orders Paid.		Name of Office.	Orders Issued.		Orders Paid.	
	Number.	Amount.	Number.	Amount.		Number.	Amount.	Number.	Amount.
Aberdeen	96	£ s. d. 359 2 7	27	168 14 4	Bringelly	43	102 6 0	10	31 11 11
Adaminaby	181	645 3 2	14	59 12 4	Broughton Creek	153	557 0 0	21	76 11 6
Adelong	751	2,738 12 8	169	594 9 6	Bundarra	300	1,464 8 0	44	135 3 0
Albury	396	1,231 12 8	487	1,839 10 10	Bungendore	238	821 13 4	59	313 9 8
Anvil Creek	49	186 19 8	5	7 0 0	Burrawang	10	25 12 4	1	8 0 0
Appin	63	273 5 1	69	319 6 11	Burrowa	591	2,330 12 8	98	423 12 11
Araluen	447	1,511 16 5	561	2,202 10 6	Burwood	69	204 6 0	85	363 2 4
Armidale	1,008	4,357 17 8	528	2,166 17 2	Bowral .....	.....	.....	1	7 13 0
Ashfield	130	407 9 2	165	640 12 3	Camden	348	1,292 0 8	251	1,033 16 5
Ashford .....	.....	.....	1	9 0 0	Campbelltown	305	1,070 7 8	176	679 6 0
Avisford	25	126 15 0	10	42 0 0	Camperdown	35	100 18 8	118	407 8 0
Ballina	385	2,282 13 4	76	473 1 11	Cannonbar	146	569 0 4	22	160 17 8
Balmain	342	1,128 16 6	498	1,839 2 5	Carcoar	526	1,921 1 4	181	667 19 11
Balranald	167	627 6 0	44	166 4 3	Cargo	183	751 6 10	25	148 4 8
Barraba	172	748 13 3	35	241 16 3	Casino	336	1,269 18 1	107	388 15 11
Bateman's Bay	198	764 17 2	9	31 6 8	Cassilis	1,348	10,947 4 7	52	218 3 9
Bathurst	2,183	8,699 5 2	2,091	8,588 5 7	Catherine Hill } Bay	61	307 14 9	7	55 16 0
Bega	713	2,744 2 6	174	788 16 0	Clarence Town	258	896 10 4	43	214 5 11
Bendemeer	266	1,125 15 1	56	357 9 3	Collector	14	53 5 0	5	16 0 0
Berrima	283	817 1 9	93	419 1 10	Coodobolin	24	98 1 10	9	33 15 5
Binalong	321	1,368 2 7	17	36 15 6	Coolah	288	1,194 5 10	30	153 1 9
Bingera	238	950 10 10	45	230 17 9	Cooma	967	3,599 5 1	187	775 0 9
Blayney	150	510 1 1	37	172 3 4	Coonabarabran	484	1,819 4 1	51	229 18 10
Bodalla	367	2,841 15 9	9	38 15 0	Coonamble	362	1,314 14 4	23	87 14 3
Bombala	664	3,698 13 7	143	482 14 11	Cooranbong	180	722 15 4	24	143 11 0
Botany	37	101 5 7	27	113 18 0	Coraki	13	77 12 1	1	4 0 8
Bourke	748	3,127 8 10	83	336 8 9	Coramundra	117	446 16 5	21	77 8 1
Bourke-street	15	35 3 8	13	63 19 6	Corowa	221	703 6 7	74	235 16 6
Bowenfels	77	282 14 9	64	318 16 4	Cow Flat	259	1,024 2 6	72	428 10 5
Bowna	7	31 12 6	6	15 16 0	Cowra	473	2,410 5 0	58	383 14 6
Bowning	99	434 13 0	7	23 16 0	Cundletown	110	407 12 6	32	151 17 0
Braidwood	709	2,311 8 3	544	2,020 6 4	Darrawang	72	245 4 2	39	162 18 4
Branxton	434	1,988 9 8	292	1,536 8 1	Dalmorton	55	298 3 9	11	37 19 3
Breeza	8	30 17 0	3	8 0 0	Dapto	23	60 5 6	10	19 11 2
Brewarrina	187	898 3 9	26	113 15 5					

D—continued.

Name of Office.	Orders Issued.		Orders Paid.		Name of Office.	Orders Issued.		Orders Paid.	
	Number.	Amount.	Number.	Amount.		Number.	Amount.	Number.	Amount.
		£ s. d.		£ s. d.			£ s. d.		£ s. d.
Deniliquin	385	1,382 5 0	187	705 9 11	Orange	1,471	5,181 12 9	556	2,275 16 0
Denman	178	530 17 7	24	114 9 4	Oxford-street	855	2,895 9 1	526	1,886 12 7
Dubbo	762	2,881 16 11	268	1,098 17 3	Paddington	300	1,290 8 2	198	743 13 6
Dungog	393	1,902 9 0	100	622 7 2	Parkes	1,406	5,972 17 0	421	1,860 5 7
East Maitland	510	1,749 1 6	252	838 17 7	Parramatta	540	2,157 6 11	974	3,834 12 2
Eden	505	3,407 7 3	67	293 18 6	Parramatta-street	455	1,523 5 5	276	1,280 8 1
Emu	47	181 12 8	61	219 3 7	Paterson	201	1,147 16 4	80	522 3 0
Euston	96	742 13 4	4	11 17 6	Penrith	397	1,321 0 8	302	1,130 6 0
Fernmount	155	792 10 10	44	259 5 3	Petersham	54	164 3 4	61	301 4 2
Forbes	740	3,191 17 7	206	856 14 2	Picton	235	769 18 10	103	400 3 11
Gagedzerick	4	7 2 0	1	5 0 0	Pilliga	114	480 7 0	11	59 14 4
Gilgandra	20	110 4 6	2	14 0 0	Port Macquarie	646	3,401 19 2	110	534 8 11
Gladstone	107	528 7 6	13	76 4 8	Pymont	101	292 15 8	113	485 19 6
Glebe	72	199 19 5	148	507 7 8	Queanbeyan	717	2,459 9 5	278	912 4 4
Glen Innes	716	3,610 9 7	266	1,068 5 6	Raymond Terrace	213	665 9 2	239	1,108 3 8
Goderich	88	383 0 11	17	91 14 11	Redfern	278	779 10 2	409	1,329 2 11
Gosford	449	2,046 0 4	66	366 0 9	Reedy Flat	65	242 17 2	20	36 12 8
Goulburn	2,165	7,641 1 5	1,718	6,395 17 5	Richmond	391	1,383 2 8	177	737 8 9
Grafton	1,291	5,249 19 8	581	2,652 17 0	Rockley	187	817 8 6	29	106 19 6
Grenfell	491	1,743 5 2	274	1,021 13 9	Rocky Mouth	454	1,726 12 2	107	610 5 7
Gulgong	800	3,097 8 2	590	2,303 10 8	Rydal	315	1,250 14 0	84	325 8 11
Gundagai	662	2,575 4 5	202	751 10 0	Ryde	66	184 3 7	60	212 12 1
Gundaroo	159	372 1 10	43	196 15 11	Rylstone	260	809 8 4	38	137 9 2
Gunnedah	501	2,144 11 1	75	317 19 0	St. Leonard's	180	714 18 9	90	276 17 2
Gunning	575	2,556 18 3	78	344 18 11	St. Mark's	4	9 17 6		
Guyong	80	266 5 6	62	356 4 3	St. Peter's	13	22 16 8	14	45 0 0
Hargraves	102	426 7 6	42	181 0 10	Scone	615	2,318 4 3	792	987 11 7
Hartley	815	6,233 16 5	94	409 1 2	Singleton	1,040	3,895 10 11	172	3,886 17 9
Haslem's Creek	21	77 19 0	2	2 7 0	Sofala	417	1,341 9 6	166	667 4 8
Hay	247	760 18 5	111	486 8 8	Solferino	85	345 17 4	9	44 1 1
Hexham	111	364 6 10	171	785 9 3	Stanborough	337	2,590 1 7	8	48 7 10
Hill End	1,007	3,369 4 10	545	1,891 1 5	Stroud	319	2,097 16 11	42	161 6 0
Hoskins Town	34	127 17 7	5	8 4 0	Tambaroora	110	337 14 8	123	359 18 0
Home Rule	260	899 1 3	126	511 0 7	Tamworth	1,383	5,706 8 10	738	3,345 15 2
Inverell	1,043	5,529 10 4	214	1,240 5 3	Taralga	148	615 14 6	63	371 14 11
Ironbarks	197	781 7 0	46	215 8 0	Tarcutta	98	355 6 4	9	50 1 6
Jamberoo	93	281 13 6	13	37 2 6	Taree	419	1,771 5 1	68	284 6 11
Jerelderie	75	244 16 1	3	8 0 0	Ten-mile Creek (Germanton)	344	1,420 4 11	43	302 0 8
Kelso	227	980 17 11	136	699 11 3	Tenterfield	469	1,812 12 4	108	514 9 11
Kempsey	259	1,121 1 2	75	258 4 1	Terata	312	1,046 10 3	46	155 7 2
Kiama	675	2,672 14 7	226	861 16 1	Tocumwal	127	554 12 3	13	22 0 11
Kiandra	315	1,416 4 6	17	96 10 0	Trunkey Creek	266	1,235 13 5	96	592 18 8
Lambton	772	2,666 7 1	159	547 14 3	Tuena	149	711 9 0	19	105 12 7
Lawrence	187	601 17 0	41	189 2 4	Tumberumba	106	480 1 10	18	62 15 4
Lidsdale	204	844 10 4	87	491 8 2	Tumut	361	1,524 2 11	216	852 0 0
Lionsville	121	525 10 2	7	27 5 6	Tweed Junction	46	241 10 2	13	85 12 5
Lismore	402	1,884 7 11	55	266 11 9	Ulladulla	72	166 12 4	20	54 5 3
Lithgow	514	2,071 16 2	30	107 17 1	Uralla	212	762 11 7	61	313 15 9
Little Hartley	187	753 6 9	10	51 16 4	Uralla	523	2,248 15 6	118	587 9 10
Liverpool	262	828 6 9	215	717 16 3	Urana	260	1,006 11 9	43	261 5 5
Lochinvar	96	406 4 6	253	1,351 18 0	Vegetable Creek	945	5,876 15 0	53	259 4 1
Lucknow	123	581 12 0	50	184 7 6	Wagga Wagga	1,263	5,802 8 10	393	1,624 0 9
Lunatic Reefs	66	231 10 11	14	76 7 10	Walcha	287	1,230 8 11	67	289 2 10
M'Gaugan's	14	41 14 6			Walgett	252	1,304 8 11	38	263 4 10
Major's Creek	178	425 8 3	132	525 4 1	Wallsend	1,247	4,940 3 7	152	538 2 11
Manly	35	90 19 2	51	177 4 8	Waratah	451	1,784 5 7	106	373 18 2
Maryland	7	15 11 6	7	54 18 6	Warialda	156	586 8 0	49	248 16 0
Merimbula	171	677 17 4	42	180 19 10	Warren	95	486 6 11	19	82 9 0
Merriwa	282	1,073 13 3	61	297 2 5	Waterloo	70	252 5 3	115	351 2 10
Michelago	93	320 3 11	9	36 15 0	Watson's Bay	18	26 13 10	10	12 1 10
Milton	131	435 2 5	43	144 11 5	Wattle Flat	141	477 12 1	55	221 8 6
Moama	127	334 13 7	24	82 19 4	Waverley	16	56 7 0	27	67 6 8
Molong	365	1,454 9 0	92	519 1 3	Wee Waa	323	1,353 15 11	15	47 12 10
Molonglo	47	163 3 3	7	16 11 0	Wellinggrove	83	384 13 6	1	9 0 0
Monga	55	221 17 2			Wellington	455	1,809 8 6	153	587 3 1
Mooroowoolen	313	958 19 11	83	325 6 9	Wentworth	302	1,603 0 9	35	174 8 7
Moree	30	81 6 3	5	17 15 3	West Kempsey	146	701 15 9	85	389 3 3
Morpeth	340	1,151 6 11	252	900 11 5	West Maitland	1,468	5,704 7 11	2,362	9,116 14 8
Moruya	764	3,534 16 5	219	1,077 13 8	Wilcannia	141	485 5 2	28	137 15 5
Moss Vale	327	1,073 5 0	107	437 18 3	William-street	741	2,874 2 7	337	1,088 15 9
Mudgee	1,452	4,824 18 1	638	2,320 18 0	Windeyer	111	761 10 7	22	95 6 6
Murrumburrah	226	929 15 4	67	301 2 4	Windsor	639	2,290 14 8	427	1,894 15 2
Murrurundi	1,806	8,882 6 6	818	3,640 9 0	Wingham	253	1,683 7 4	52	257 2 9
Muswellbrook	835	3,304 1 0	486	2,114 9 4	Wiseman's Ferry	129	501 12 0	14	66 1 0
Narrabri	519	2,598 3 3	135	529 12 7	Wollombi	391	2,361 3 3	60	289 12 7
Narrandera	30	132 11 3	5	19 5 2	Wollongong	849	3,252 1 5	304	1,197 8 3
Nattai	382	1,365 10 6	251	1,118 13 6	Wombat	76	302 16 8	12	51 8 6
Nelligen	398	1,331 6 6	45	179 12 1	Woollahra	79	227 18 0	79	183 8 4
Nerrigundah	92	312 13 4	17	46 18 3	Woonona	154	566 3 11	43	132 8 7
Newcastle	3,969	15,759 18 1	1,731	7,029 14 8	Yass	1,153	4,599 4 6	515	2,005 19 5
Newtown	457	1,758 1 6	594	2,019 13 6	Young	1,119	4,360 18 3	384	1,667 12 2
Nimitybelle	160	501 17 0	13	41 14 7	Sydney	13,158	56,437 14 0	52,509	227,801 19 2
Nowra	200	838 0 6	79	379 0 3					
Numba	166	800 4 4	17	62 6 4					
Nundle	270	1,170 18 11	120	562 1 7					
Oberon	274	1,089 12 7	61	375 2 0					
Obley	37	156 12 10	3	5 14 6					
					Total	100,293	419,622 9 8	89,572	380,293 7 11

E.

GOVERNMENT SAVINGS' BANK.

RETURN showing the names of the various Branches, the dates of their establishment, the number of Accounts opened, the number of Accounts closed, and the total number and amount of Deposits and Withdrawals, during the year 1875; also the amount at the credit of Depositors on the 31st December, 1875.

Name of Branch.	Date of establishment.	Number of Accounts open at close of 1874.	Number of Accounts opened during 1875.	Number of Accounts closed during 1875.	Number of Accounts remaining open at close of 1875.	Balances on 31st December, 1874.	Total Deposits, including interest.		Total Withdrawals.		Balances at Credit of Depositors at close of 1875.
							Number	Amount.	Number	Amount.	
Aberdeen	11 Dec., 1871	24	6	3	27	£ 1,072 14 2	27	£ 435 18 10	12	£ 333 6 1	1,175 6 11
Adaminaby	12 July, 1875	2	2	2	2	12 10 3	3	12 10 3	3	12 10 3	12 10 3
Adelong	11 Dec., 1871	51	60	44	67	553 19 6	240	1,239 8 9	85	954 19 3	828 9 0
Albury	1 Oct., 1871	64	27	16	75	1,021 8 9	161	647 3 9	40	595 2 10	1,073 9 8
Araluen	1 Sept., 1872	10	3	3	10	295 14 6	11	221 13 1	12	303 12 1	214 15 6
Armidale	1 Oct., 1871	44	17	13	48	2,039 16 1	67	997 16 4	35	1,111 16 3	1,895 16 2
Ashtfield	1 Feb., 1875	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Ballina	1 Sept., 1872	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Balmain	1 Oct., 1871	141	83	60	164	2,821 4 3	754	2,932 0 10	200	2,832 0 8	2,921 4 5
Bathurst	1 Oct., 1871	172	108	71	209	6,901 4 3	576	5,843 1 5	232	4,510 13 0	8,233 12 8
Bega	1 Sept., 1872	51	17	26	42	736 1 4	85	439 17 7	42	543 19 4	631 19 7
Berrima	1 Oct., 1871	34	9	14	29	1,169 14 5	36	499 10 10	35	1,059 10 4	609 14 11
Binalong	1 Feb., 1875	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Bingera	1 Feb., 1875	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Bodalla	12 July, 1875	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Bombala	11 Dec., 1871	17	8	3	22	700 7 11	27	430 16 6	9	165 5 8	965 18 9
Botany	1 Sept., 1874	25	20	10	36	19 8 3	213	117 10 11	22	40 1 8	96 17 6
Bourke	1 Sept., 1874	6	7	1	12	73 16 6	17	95 11 0	2	70 6 0	99 1 6
Bowenfels	1 Feb., 1875	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Braidwood	1 Oct., 1871	64	22	12	74	2,540 19 5	161	956 10 8	54	1,229 6 9	2,268 3 4
Braxton	1 Sept., 1874	5	6	1	10	19 1 10	8	88 9 3	4	32 1 0	75 10 1
Bundarra	1 Jan., 1874	14	7	.....	21	25 1 6	36	230 8 8	.....	.....	255 10 2
Burrowa	12 July, 1875	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Burwood	1 Sept., 1872	12	11	5	18	437 19 1	66	160 3 10	7	207 15 4	390 7 7
Camden	1 Oct., 1871	112	44	26	129	437 19 1	225	1,705 8 11	73	3,170 0 10	2,518 18 4
Campbelltown	1 Oct., 1871	45	9	12	42	1,899 7 11	62	704 4 1	26	819 6 2	1,784 5 10
Cannondra	12 July, 1875	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Carcoar	1 Sept., 1872	29	11	17	23	2,143 18 10	60	1,547 7 1	30	2,113 5 8	1,578 0 3
Casino	1 Feb., 1875	7	7	1	6	.....	14	206 18 10	4	37 2 1	169 16 9
Cassilis	1 Sept., 1872	71	29	18	82	3,115 11 7	219	1,631 15 10	43	1,230 11 10	3,516 13 7
Cooma	1 Oct., 1871	54	14	10	58	1,213 1 1	79	793 15 9	23	409 0 7	1,597 16 3
Coonabarabran	12 July, 1875	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Cooranbong	12 July, 1875	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Cow Flat	1 Sept., 1874	10	28	16	22	641 4 1	78	1,233 10 2	25	740 19 3	1,133 15 0
Cowra	1 Sept., 1872	16	10	9	17	428 6 5	32	351 5 6	15	260 16 10	518 15 1
Deniliquin	11 Dec., 1871	33	15	15	33	636 0 2	68	393 19 0	28	459 16 2	570 3 0
Denman	1 Jan., 1874	11	8	2	17	191 11 3	31	175 1 8	6	180 19 8	179 13 3
Dubbo	11 Dec., 1871	10	13	4	19	91 15 0	25	436 6 1	9	72 11 3	455 9 10
Dungog	1 Sept., 1874	6	3	2	7	146 16 7	27	258 16 3	5	30 3 9	375 9 1
East Maitland	1 Oct., 1871	8	4	2	10	130 11 10	19	130 7 2	8	16 16 10	424 2 2
Eden	1 Jan., 1874	15	9	4	20	316 8 6	39	277 4 0	10	134 1 4	309 11 2
Fermont	1 Sept., 1872	31	9	8	32	301 7 6	35	422 15 1	14	384 16 9	339 5 10
Forbes	11 Dec., 1871	66	34	20	80	2,519 2 3	148	933 3 9	49	1,679 0 9	2,373 5 3
Germantown	12 July, 1875	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Gladstone	1 Sept., 1872	7	7	3	11	398 10 8	14	430 1 0	9	373 19 11	454 11 9
Glebe	1 Oct., 1871	12	3	2	13	252 2 1	22	63 7 7	17	97 6 0	218 3 8
Glen Innes	1 Sept., 1874	16	30	18	37	214 10 6	147	496 6 3	47	340 16 3	370 0 6
Gosford	1 Sept., 1874	2	8	3	7	85 0 0	28	245 8 11	6	179 19 7	150 9 4
Goulburn	1 Oct., 1871	108	54	28	134	8,431 15 9	261	3,777 14 0	102	2,672 9 1	9,537 0 8
Grafton	1 Oct., 1871	38	20	30	28	1,179 16 2	59	933 17 11	45	1,244 1 1	1,869 13 0
Grenfell	15 Jan., 1872	71	25	20	76	1,945 0 4	122	685 17 5	48	769 0 7	1,861 17 2
Gulgong	15 Jan., 1872	76	54	47	83	2,841 16 7	274	2,526 7 8	146	2,487 0 5	2,881 3 10
Gundagai	11 Dec., 1871	25	4	6	23	157 9 4	23	128 2 6	19	131 17 2	153 14 8
Gunnedah	12 July, 1875	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Haslem's Creek	12 July, 1875	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Hexham	1 Feb., 1875	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Hill End	1 Jan., 1874	83	81	51	113	3,201 2 4	489	3,171 4 6	151	1,902 0 6	4,470 6 4
Home Rule	1 Jan., 1874	12	13	13	12	203 6 6	51	377 17 3	33	452 15 7	128 8 2
Inverell	1 Sept., 1874	19	46	8	57	232 12 4	128	944 4 6	23	222 4 10	954 12 0
Kempsey	1 Feb., 1875	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Kiama	1 Oct., 1871	60	45	35	70	2,425 4 6	220	1,828 13 9	59	2,543 18 1	1,710 0 2
Lambton	1 Sept., 1874	8	34	12	30	132 10 1	132	1,236 13 4	30	314 8 7	1,054 14 10
Lidsdale	12 July, 1875	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Lismore	12 July, 1875	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Lithgow	1 Feb., 1875	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Liverpool	1 Oct., 1871	57	30	24	63	1,213 12 8	200	875 5 3	76	709 13 8	1,319 4 3
Lochinvar	12 July, 1875	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Major's Creek	1 Feb., 1875	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Manly	1 Feb., 1875	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
McGuigan's	1 Dec., 1875	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Merimbula	1 Jan., 1874	20	8	12	16	476 1 7	46	193 3 0	23	305 9 2	363 15 5
Merriva	1 Sept., 1874	7	7	.....	7	.....	17	212 8 8	4	80 0 0	132 8 8
Milton	1 Jan., 1874	18	18	5	31	234 7 11	204	320 4 3	12	185 9 4	369 2 10
Mittagong	1 Sept., 1872	92	31	19	103	1,928 19 0	181	1,314 9 5	62	740 13 1	2,502 15 4
Molong	1 Oct., 1871	30	13	10	34	885 12 4	69	422 3 5	10	414 19 1	892 16 8
Mooroolooloo	10 Apr., 1875	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Murphy	1 Oct., 1871	62	51	15	98	2,097 4 3	194	2,158 17 5	47	991 12 3	3,264 9 5
Muruya	1 Jan., 1874	24	22	10	36	467 0 1	68	588 12 6	21	274 9 2	781 3 5
Mudgee	1 Oct., 1871	65	27	24	68	1,736 4 1	176	1,411 8 9	58	1,136 3 8	2,011 9 2
Murrumbidgee	1 Oct., 1871	81	92	60	113	2,993 8 4	258	3,962 10 10	126	2,581 17 2	4,374 2 0
Muswellbrook	11 Dec., 1871	43	24	15	54	1,758 15 2	91	1,244 7 11	44	981 17 7	2,021 5 6
Narrabri	2 June, 1873	38	20	10	48	898 0 9	103	898 4 9	35	470 4 6	1,326 1 0
Nelligen	12 July, 1875	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Newcastle	1 Oct., 1871	370	359	240	489	16,863 19 6	1,562	19,597 6 11	620	14,528 16 4	21,332 10 1
Newtown	1 Oct., 1871	469	261	184	546	5,715 14 1	1,912	6,068 3 8	508	5,566 7 11	6,217 9 10
Numba	12 July, 1875	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Nundle	1 Sept., 1874	21	18	3	36	93 6 7	52	710 13 0	8	122 16 11	681 2 8
Orange	11 Dec., 1871	93	72	37	128	2,126 19 11	249	2,116 12 5	88	1,440 9 4	2,803 3 0
Oxford-street	11 Aug., 1873	584	423	323	684	13,443 4 0	3,024	15,623 8 3	1,052	12,082 11 8	16,984 0 7
Paddington	11 Aug., 1873	205	127	102	230	3,226 0 0	922	3,833 6 5	261	3,921 17 3	3,107 9 2
Parkes	1 Jan., 1874	46	77	34	89	2,060 1 1	229	3,326 9 6	123	2,490 12 3	2,895 18 4
Parramatta	1 Oct., 1871	76	47	16	107	2,216 12 11	267	1,770 4 7	80	897 0 5	3,089 17 1
Parramatta-street	11 Aug., 1873	225	251	153	323	5,547 0 5	1,539	7,798 6 5	495	4,991 15 11	8,353 10 11
Paterson	12 July, 1875	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Penrith	1 Oct., 1871	43	34	8	69	1,726 14 1</					

E—continued.

Name of Branch.	Date of establishment.	Number of Accounts open at close of 1874.	Number of Accounts opened during 1875.	Number of Accounts closed during 1875.	Number of Accounts remaining open at close of 1875.	Balance on 31 December, 1874.	Total Deposits including Interest.		Total Withdrawals.		Balances at Credit of Depositors at close of 1875.
							Number	Amount.	Number	Amount.	
Scone.....	11 Dec., 1871	12	5	3	14	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Singleton.....	1 Oct., 1871	222	73	60	235	350 17 9	14	200 10 3	6	102 1 0	449 7 0
Sofala.....	1 Sept., 1874	24	29	4	49	4,757 8 8	608	2,306 11 3	124	3,488 7 1	3,605 12 10
St. Leonards.....	1 Feb., 1875	176	29	147	49	302 9 1	189	1,388 14 5	17	604 0 0	1,087 3 6
Stroud.....	1 Feb., 1875	13	2	11	11	.....	1,193	2,127 9 0	137	911 4 1	1,216 4 11
Sturworth.....	11 Dec., 1871	69	38	17	90	1,305 6 3	193	988 15 8	54	849 1 2	1,445 0 9
Taree.....	1 Feb., 1875	4	4	.....	4	.....	13	52 11 8	1	26 0 0	26 11 8
Tenterfield.....	1 Sept., 1874	3	3	1	5	46 4 2	10	406 13 0	1	12 12 4	440 4 10
Terara.....	1 Sept., 1872	83	34	10	107	3,199 7 3	143	1,583 0 2	44	856 16 9	3,925 10 8
Trunkey Creek.....	1 Feb., 1875	11	1	10	10	.....	21	352 16 3	6	90 0 0	262 16 3
Tumut.....	1 Feb., 1875	8	1	1	7	.....	32	62 4 0	2	21 0 2	41 3 10
Tweed Junction.....	1 Sept., 1874	3	.....	3	3	.....	5	26 7 3	.....	.....	26 7 3
Ulladulla.....	1 Sept., 1872	14	7	1	20	468 7 5	21	119 4 0	3	239 13 4	347 18 1
Umarra.....	12 July, 1875	10	2	8	8	.....	20	149 8 3	6	28 10 0	120 18 3
Vegetable Creek.....	1 Sept., 1871	65	121	63	123	1,966 9 2	321	4,913 14 11	134	2,667 14 8	4,212 9 5
Wagga Wagga.....	11 Dec., 1871	80	63	38	105	1,019 10 11	217	1,163 11 8	71	970 17 8	1,212 4 11
Wallsend.....	1 Sept., 1874	21	57	23	55	502 16 6	165	1,565 4 2	43	723 2 2	1,344 18 6
Waratah.....	11 Dec., 1871	31	10	8	33	1,165 17 9	67	651 5 0	22	383 6 0	1,433 16 9
Warialda.....	1 Sept., 1874	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Waterloo.....	1 Oct., 1871	67	35	37	65	304 8 11	368	770 2 5	68	695 5 4	378 6 0
*Watson's Bay.....	1 Feb., 1875	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Wee Waa.....	11 Dec., 1871	31	4	7	28	714 11 3	24	259 0 7	12	269 8 4	704 3 6
Wellington.....	2 June, 1873	32	10	6	36	1,055 9 1	118	427 8 4	21	429 1 10	1,033 15 7
West Kempsey.....	1 Sept., 1874	19	8	1	26	211 14 8	38	339 17 5	13	216 13 0	334 19 1
West Maitland.....	1 Oct., 1871	39	18	15	42	2,439 8 2	69	1,524 19 7	35	1,853 14 11	2,110 12 10
William-street.....	11 Aug., 1873	304	301	184	481	8,760 10 9	2,395	10,134 6 5	629	9,500 15 4	9,394 1 10
Windsor.....	1 Oct., 1871	53	14	27	40	5,986 17 8	38	1,451 15 1	50	4,364 17 8	3,973 15 1
Wingham.....	11 Dec., 1871	10	.....	1	9	344 6 8	16	135 15 5	2	47 6 2	432 15 11
Wollombi.....	11 Dec., 1871	17	4	4	17	393 17 5	36	150 0 8	8	179 14 5	364 3 8
Wollongong.....	1 Oct., 1871	102	48	35	115	6,571 9 11	222	3,143 7 2	98	3,074 18 5	6,639 18 8
Woolahra.....	8 Feb., 1872	92	37	26	103	986 16 11	375	700 1 6	56	624 13 9	1,062 4 8
Woonona.....	11 Dec., 1871	67	30	11	86	3,451 19 4	210	1,829 2 4	75	1,236 9 0	4,044 12 8
Yass.....	1 Sept., 1872	55	71	20	106	2,351 8 10	220	3,097 7 11	48	1,618 14 7	3,830 2 2
Young.....	11 Dec., 1871	83	72	44	111	1,865 4 11	329	1,529 6 0	72	1,364 2 10	2,030 8 1
Sydney C.O.....	1 Oct., 1871	1,844	1,535	1,018	2,361	114,622 11 10	7,533	106,245 13 10	3,626	88,357 10 4	132,010 15 4
Total.....	.....	8,276	6,379	3,856	10,799	302,373 0 1	34,043	280,147 1 11	11,532	228,445 11 7	354,074 10 5

* Abolished 31st July, 1875. Official Office at Redfern.

1875.

NEW SOUTH WALES.

POSTAL CONVENTION.

(BETWEEN THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF NEW SOUTH WALES—AMENDED ARTICLE TO REPLACE ARTICLE THREE.)

Presented to Parliament by Command.

AMENDED Article to replace Article 3 of the Postal Convention between the United States of America and the Government of New South Wales, signed at Washington, the fifteenth day of January, A.D. 1874.

The undersigned, being thereunto duly authorized by their respective Governments, have agreed to replace Article 3 of the Postal Convention of 15th January, 1874, by the following article.

ARTICLE 3.

No accounts shall be kept between the Post Departments of the two Countries upon the international correspondence, written or printed, exchanged between them, but each Country shall retain to its own use the postage which it collects.

The single rate of international letter postage shall be twelve cents in the United States, and sixpence in New South Wales, on each letter weighing half an ounce or less, and an additional rate of twelve cents (sixpence) for each single weight of half an ounce or fraction thereof, which shall in all cases be prepaid, at least one single rate, by means of postage stamps, at the office of mailing in either Country. Letters unpaid or prepaid less than one full rate of postage shall not be forwarded, but insufficiently paid letters on which a single rate or more has been prepaid shall be forwarded, charged with the deficient postage, to be collected and retained by the Post Department of the Country of destination.

The United States Post Office shall levy and collect to its own use, on newspapers addressed to New South Wales, a postage charge of two cents, and on all other articles of printed matter, patterns and samples of merchandise addressed to New South Wales, a postage charge of four cents per each weight of four ounces or fraction of four ounces.

The Post Office of New South Wales shall levy and collect to its own use, on newspapers and other articles of printed matter, patterns and samples of merchandise addressed to the United States, the regular rates of domestic postage chargeable thereon by the laws and regulations of the Colony of New South Wales.

Letters, newspapers, and other articles of printed matter, patterns, and samples of merchandise, fully prepaid, which may be received in either Country from the other, shall be delivered free of all charge whatever.

Newspapers and all other kind of printed matter, and patterns and samples of merchandise, are to be subject to the laws and regulations of each Country respectively, in regard to their liability to be rated with letter postage when containing written matter, or for any other cause specified in said laws and regulations, as well as in regard to their liability to Customs duty under the revenue laws.

The provisions of this amended article shall be carried into operation on the 1st of July A.D. 1875.

Done in duplicate and signed at Sydney, the first day of June, 1875, and at Washington, the twentieth day of July, A.D. 1875.

(L.S.)

J. F. BURNS,
Postmaster General of New South Wales.

(L.S.)

MARSHALL JEWELL,
Postmaster General of the United States.

I hereby approve the foregoing amended article, and in testimony thereof I have caused the Seal of the United States to be affixed.

(L.S.)

U. S. GRANT.

By the President,—
HAMILTON FISH,
Secretary of State.

Washington, July 29th, 1875.



1875.

NEW SOUTH WALES.

TIME TABLE FOR THE MAIL SERVICE

BETWEEN

GREAT BRITAIN, NEW SOUTH WALES, AND NEW ZEALAND,

BY WAY OF

SAN FRANCISCO.

APPROVED BY THE POSTMASTERS GENERAL OF NEW SOUTH WALES AND NEW ZEALAND,
ON THE 12th AUGUST, 1875.

Presented to Parliament by Command.

OUTWARD ROUTE.					HOMEWARD ROUTE.				
Leave		Arrive at			Leave			Arrive at	
London.	*San Francisco.	Auckland.	Port Chalmers.	Sydney.	Sydney.	Port Chalmers.	Auckland.	San Francisco.	London.
Thursday evening.	Wednesday.	Sunday.	Saturday.	Wednesday.	Friday.	Wednesday.	Monday.	Thursday.	Thursday.
1875.					1875.				1876.
Oct. 21	Nov. 10	Dec. 5	Dec. 11	Dec. 8	Nov. 19 6 p.m.	Nov. 17 6 a.m.	Nov. 22 5 p.m.	Dec. 16	Jan. 6
Nov. 18	Dec. 8	1876. Jan. 2	1876. Jan. 8	1876. Jan. 5	Dec. 17	Dec. 15	Dec. 20	1876. Jan. 13	Feb. 3
Dec. 16	1876. Jan. 5	Jan. 30	Feb. 5	Feb. 2					
1876.					1876.	1876.			
Jan. 13	Feb. 2	Feb. 27	March 4	March 1	Jan. 14	Jan. 12	Jan. 17	Feb. 10	March 2
Feb. 10	March 1	Mar. 26	April 1	March 29	Feb. 11	Feb. 9	Feb. 14	March 9	March 30
March 9	March 29	April 23	April 29	April 26	March 10	March 8	March 13	April 6	April 27
April 6	April 26	May 21	May 27	May 24	April 7	April 5	April 10	May 4	May 25
May 4	May 24	June 18	June 24	June 21	May 5	May 3	May 8	June 1	June 22
June 1	June 21	July 16	July 22	July 19	June 2	May 31	June 5	June 29	July 20
June 29	July 19	Aug. 13	Aug. 19	Aug. 16	June 30	June 28	July 3	July 27	Aug. 17
July 27	Aug. 16	Sept. 10	Sept. 16	Sept. 13	July 28	July 26	July 31	Aug. 24	Sept. 14
Aug. 24	Sept. 13	Oct. 8	Oct. 14	Oct. 11	Aug. 25	Aug. 23	Aug. 28	Sept. 21	Oct. 12
Sept. 21	Oct. 11	Nov. 5	Nov. 11	Nov. 8	Sept. 22	Sept. 20	Sept. 25	Oct. 19	Nov. 9
Oct. 19	Nov. 8	Dec. 3	Dec. 9	Dec. 6	Oct. 20	Oct. 18	Oct. 23	Nov. 16	Dec. 7
			1877.	1877.					1877.
Nov. 16	Dec. 6	Dec. 31	Jan. 6	Jan. 3	Nov. 17	Nov. 15	Nov. 20	Dec. 14	Jan. 4
	1877.	1877.						1877.	
Dec. 14	Jan. 3	Jan. 28	Feb. 3	Jan. 31	Dec. 15	Dec. 13	Dec. 18	Jan. 11	Feb. 1

* Or on arrival of the Mail from New York.

1875.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MAIL SERVICE BETWEEN SAN FRANCISCO AND THE COLONIES.

(CONTRACT.)

Ordered by the Legislative Assembly to be printed, 19 November, 1875.

CONTRACT.

ARTICLES OF AGREEMENT made and entered into this twenty-third day of July, one thousand eight hundred and seventy-five, between the Honorable John Fitzgerald Burns, the Postmaster General of the Colony of New South Wales, as such Postmaster General, and acting for and on behalf of the Government of the said Colony, of the first part; the Honorable Sir Julius Vogel, a Knight Commander of the Most Distinguished Order of St. Michael and St. George, the Postmaster General of the Colony of New Zealand, as such Postmaster General, and acting for and on behalf of the Government of the same Colony, of the second part; and the Pacific Mail Steamship Company, of New York, in the United States of America, hereinafter designated "the Contractors" of the third part: Witness that they the Contractors do for themselves, their successors and assigns (so far as the covenants and agreements hereinafter contained are to be observed and performed by the Contractors), hereby covenant with the Postmaster General of the Colony of New South Wales and his successors, and with the Postmaster General of the Colony of New Zealand and his successors, and also as a separate covenant with each of the of the Postmasters General and his successors; and the Postmaster General of the Colony of New South Wales and the Postmaster General of the Colony of New Zealand do, and each of them doth, for and on behalf of himself respectively as such Postmaster General, and his successor respectively, and the Government of the Colony for which he is now respectively the Postmaster General (but so far only as the covenants and agreements hereinafter contained are to be observed or performed by or are applicable to the Government of the said Colonies respectively), hereby covenant with the Contractors, and their successors, in manner following, that is to say:—

1. In the construction of these presents the following words and expressions shall mean and include (unless such meaning shall be inconsistent with the context) as follows:—"Postmaster General of the Colony of New South Wales" means the Postmaster General for the time being of that Colony; "Postmaster General of the Colony of New Zealand" means the Postmaster General for the time being of that Colony; "Postmasters General" means the Postmaster General for the time being of the Colony of New South Wales and the Postmaster General for the time being of the Colony of New Zealand; "Contractors" includes the successors and assigns of the Contractors; "mails" includes all boxes, bags, or packets of letters, newspapers, books, or printed papers, patterns, and all other articles transmissible by post, without regard either to the place to which they may be addressed or to that in which they may have originated; also all empty bags, empty boxes, and other stores and articles used or to be used in carrying on the Post Office service; "mail" means the aggregate of mails transmitted at any one time by any of the vessels for the time being employed in the mail service under this Contract; and "hours" means hours calculated according to Greenwich time.

Definition of terms.

2. The Contractors shall from time to time, and at all times during the period of eight years to be computed from the fifteenth day of November, one thousand eight hundred and seventy-five, convey all Her Majesty's mails which, and all other mails, of whatever country or place, which the Postmasters General, or either of them, shall at any time and from time to time require the Contractors to convey between Sydney and San Francisco, and between San Francisco and Sydney, and between New Zealand and San Francisco, and between San Francisco and New Zealand, and from and to all and every or any of those ports, to and from the ports of Honolulu in the Sandwich Islands and Kandavau in the Fiji Islands, and according to the routes, within the respective times, and in manner hereinafter provided; and, so long as the whole or any part of the services hereby agreed to be performed or to be performed in pursuance of this Contract, shall and will provide and keep seaworthy, and in complete repair and readiness for such purpose, a sufficient number of and not less than five good, substantial, and efficient screw steam-vessels of the first class, and fully equal to Class 100 A1 Lloyd's register, and of not less gross registered tonnage than two thousand

Contractors to provide vessels.

thousand five hundred tons each, constructed of iron, and propelled by first-rate engines of adequate power for a minimum continuous speed of eleven nautical miles per hour, and having spar decks and large capacity for passengers and cargo, and ample ventilation for passing through tropical latitudes. One moiety of the passenger accommodation afforded by each vessel is to be reserved for and appropriated to passengers to and from each of the said Colonies respectively.

Vessels to be furnished with machinery, tackle, &c.

3. The steam-vessels to be employed under this Contract shall be of the capacity aforesaid, and shall be always furnished with all necessary and proper machinery, engines, apparel, furniture, stores, tackle, boats, fuel, lamps, oil, tallow, provisions, anchors, cables, fire-pumps, and other proper means for extinguishing fire, lightning-conductors, charts, chronometers, nautical instruments, and whatsoever else may be necessary for equipping the said vessels, and rendering them constantly efficient for travelling at a minimum continuous speed of eleven nautical miles per hour, and for the service hereby agreed to be performed, and also manned and provided with competent and legally-qualified officers, the Master or Commander having ample experience in command of screw steam-vessels, and with a sufficient number of efficient engineers and a sufficient crew of able seamen and other men, and with a competent surgeon, to be in all respects as to vessels, engines, equipments, and capacity, subject in the first instance and from time to time, and at all times afterwards, to the approval of the Postmasters General, or of such other person or persons as they shall jointly or severally at any time or times, or from time to time, authorize to inspect and examine the same, and no vessel shall be employed or used for the purposes of this Contract until approved as aforesaid.

Power to inspect vessels, officers, and crew, and suspend use of vessels not satisfactory.

4. The Postmasters General, or either of them, shall have full power, whenever and as often as they or he may deem it requisite, by any of their or his qualified officers or agents, to inspect the officers, engineers, and crew of all or any of the vessels employed or to be employed in the performance of this Contract, and to survey all or any of such vessels, and the hulls thereof, and the engines, machinery, furniture, tackle, apparel, stores, and equipments of every such vessel, and any defect or deficiency that may be discovered on any such survey shall be forthwith repaired or supplied by the Contractors, and for the purposes aforesaid the said vessels shall (if necessary) be opened in their hulls whenever the said officers or agents may so require. And if any such vessel, or any part thereof, or any engines, machinery, furniture, tackle, apparel, boats, stores, or equipments shall on any such survey be declared by any such officers or agents unseaworthy, or not adapted to the service hereby agreed to be performed, or any such officers, engineers, or crew shall be so declared ineligible, every vessel which shall be disapproved of, or in which such deficiency or defect shall appear, shall be deemed insufficient for any service hereby agreed to be performed, and shall not be again employed in the conveyance of mails until such defect or deficiency has been repaired or supplied to the satisfaction of the Postmaster General or officer requiring the same, and any of such officers, engineers, or crew declared ineligible shall not be employed in the said service.

Mail routes and times of departure of vessels.

5. The route by which the mails shall be conveyed as aforesaid shall be by way of Honolulu and Kandavau aforesaid, and *vice versa* at each of which ports the said vessels shall call on each journey for the receipt and delivery of mails, allowing a sufficient time at each place for the purpose, but the said vessels shall not call at any other intermediate place without the consent in writing of the Postmasters General. The mails shall be conveyed thirteen times in each year between San Francisco and the said Colonies, and at the same rate between the said Colonies and San Francisco, and the vessel respectively employed to convey the mail shall leave the respective ports of departure on the days and at the times to be from time to time appointed for the purpose by the Postmasters General. The vessels conveying the mails from San Francisco shall proceed to New South Wales, and the mails for New Zealand shall be transhipped at the said port of Kandavau into, and be conveyed by another of the said vessels to the Colony, and the vessels conveying the mails to San Francisco shall proceed thither from New Zealand, and the mails from New South Wales shall be conveyed in another of the said vessels to the said port of Kandavau, and be there transhipped into and conveyed by the vessel going to San Francisco. The New South Wales mails shall be delivered at and despatched from the port of Sydney, and the New Zealand mails shall be delivered at and despatched from the ports of Port Chalmers, Lyttelton, Wellington, and Auckland, respectively, and in passing Hawke's Bay the mail vessel shall (weather permitting) call off Napier to deliver and receive mails to and from that place, the said last-mentioned mails to be delivered to and received from a steam launch, to be provided by the Postmaster General of New Zealand; and the Contractors shall convey with the mails from or to San Francisco any local mails between the said ports of New Zealand respectively as may be required by the Postmaster General of New Zealand to be so conveyed.

Receipt and delivery of mails.

6. The Contractors at their own expense shall deliver and take the mails to and from the shore at convenient places, to be from time to time appointed by the Postmasters General respectively in the respective ports (except Napier) where the mails are to be delivered or received, also shall convey the same and the officers having charge of them to and from the shore as may be necessary in suitable boats furnished with suitable coverings for the mails, and properly equipped and manned; and shall from time to time convey the officers or agents of the Postmasters General respectively to and from the shore at any of the said ports as often as may be necessary in the execution of their duties respectively, in the event of a suitable boat not being conveniently obtainable from the shore for the purpose.

Power to delay departure of vessels.

7. If either of the said Postmasters General, or their respective officers or agents, shall at any time deem it requisite for the public service that any vessel should be detained beyond the appointed time of departure, it shall be lawful for either of the Postmasters General, or such officers or agents, to order such delay, not exceeding forty-eight hours at San Francisco, and not exceeding twenty-four hours at Sydney, or twenty-four hours at any other port, by letter addressed to and delivered to the Commander of the vessel, or the person acting as such, or left for him at the office of the Contractors in the port or on board the vessel, three hours at least before the hour appointed for departure. If when the through mail vessel going to San Francisco shall be ready to leave the port of Kandavau the branch mail vessel shall not have arrived from Sydney, the through-going mail vessel shall wait at Kandavau for the arrival of the other vessel, but not exceeding seventy-two hours from the time of arrival there of the through-going vessel. And, in order to insure the due carrying of the mails from San Francisco, the Contractors, without any such notice, shall delay any vessel (if necessary) seven days, to await the arrival of the English mails from New York for Australia or New Zealand. The Postmaster General of New Zealand shall be at liberty from time to time to vary the times of departure of the mails at and from the ports in New Zealand, but not so as to vary the times of departure from the port of Auckland more than twenty-four hours, without the consent of the Postmaster General of New South Wales.

8. If, from any cause whatsoever, at any time or times hereafter, one of the vessels aforesaid shall not be at the ports of departure of San Francisco, Sydney, and Port Chalmers, respectively, ready to put to sea in due time to perform the services hereby contracted to be performed, the contractors shall pay as and by way of liquidated damages to each or either of the Postmasters General affected by such default, as the case may be (for the use of the Governments of the said Colonies respectively, or for the Government of whichever of the said Colonies may be affected by such default as the case may be), in respect of every mail that shall be delayed by reason of any such default as aforesaid, the sum of two hundred and fifty pounds, and the further sum of fifty pounds for every successive twenty-four hours which shall elapse between the time at which the mail shall be appointed to leave the port of departure and the time at which the vessel conveying the same shall leave the port, whether such vessel shall be one of those aforesaid, or any other vessel which the Postmasters General, or either of them, shall think fit to employ or to sanction being employed for the purpose: Provided always that each or either of the Postmasters General shall have power to remit or reduce any of the sums payable, as in this clause mentioned, if he shall be satisfied that any such default as aforesaid was attributable to causes over which the contractors had no control.

Penalty for delay in putting on boats.

9. The mails, whether carried in through-going vessels or transhipped as aforesaid, shall be safely conveyed from San Francisco to Sydney, and from Sydney to San Francisco, within six hundred and forty-eight hours, and from San Francisco to Auckland, and from Auckland to San Francisco within five hundred and ninety-one hours, and from San Francisco to Port Chalmers, and from Port Chalmers to San Francisco within seven hundred and twenty-two hours. The times aforesaid to be calculated from the times appointed for the departure of the mail, respectively, unless any vessel shall be delayed in consequence of the mail not being ready for embarkation in due time, either at San Francisco or at Sydney, or in New Zealand, in which case the time shall be calculated from the time of the mail being ready for delivery at the port where the delay shall take place. The contractors admit and agree that, in the times above named, sufficient times have been allowed for coaling and stoppages at Honolulu and Kandavau, and the ports of New Zealand respectively. The contractors shall not be relieved or discharged of their liability or responsibility under this contract, by reason of any branch mail vessel not reaching Kandavau in time to forward its mail by, or to receive its mail from the through-going vessel. And in case of the loss of any of the mails by wreck of any mail vessel or otherwise, the contractors shall with all possible despatch, at their own cost, do all such acts and take all such measures as may be reasonably done and taken to recover the mails so lost. And the contractors shall be liable for all damage or injury to any of the mails, from whatever cause the same may arise or happen, except fire, the act of God, or the Queen's enemies.

Times within which service to be performed.

10. For the conveyance of each mail from San Francisco to Sydney and *vice versa*, the Postmaster General of New South Wales will pay to the contractors, at Sydney, as follows, *videlicet*:—If the mail shall be conveyed within six hundred and forty-eight hours, as aforesaid, the sum of one thousand seven hundred and twenty-nine pounds sixteen shillings and two-pence, but if the mail shall not be so conveyed, then in lieu thereof one of the lesser sums of money as mentioned in Schedule A hereunder written, according to the time within which the mail shall be conveyed. And if the time occupied in conveying the mail shall exceed the number of hours lastly mentioned* in the said schedule, then the sum lastly also mentioned in the said Schedule to be paid, shall be reduced in the proportion of four pounds for every hour in excess of seven hundred and eight hours occupied in conveying the mail. The times aforesaid to be computed as mentioned in clause No. 9 of these presents: Provided always, that the Postmaster General of New South Wales shall have power to remit all or any part of the said reduction of four pounds per hour, if he shall be satisfied that the delay in conveying the mail was attributable to causes over which the contractors had no control.

Payments by Colony of New South Wales.

11. For the conveyance of each mail from San Francisco to New Zealand, and *vice versa*, the Postmaster General of New Zealand will pay to the contractors at Wellington, as follows, *videlicet*:—If the mail from San Francisco to New Zealand shall be conveyed from San Francisco to Auckland within five hundred and ninety-one hours, and shall also be conveyed from San Francisco to Port Chalmers within seven hundred and twenty-two hours, or from New Zealand to San Francisco shall be conveyed from Port Chalmers to San Francisco within seven hundred and twenty-two hours as aforesaid, as the case may be, then the sum of one thousand seven hundred and twenty-nine pounds sixteen shillings and two-pence, but if the mail shall not be so conveyed, then in lieu thereof one of the lesser sums of money as mentioned in Schedule B hereunder written, according to the time within which the mail shall be so conveyed. And if the time occupied in so conveying the mail shall exceed either of the number of hours respectively mentioned in the last paragraph in the said Schedule B, then the sum lastly also mentioned in the same Schedule to be paid shall be reduced in the proportion of four pounds for every hour in excess of the number of hours so respectively mentioned as last aforesaid occupied in so conveying the mail. The times aforesaid to be computed as mentioned in clause No. 9 of these presents: Provided always that the Postmaster General of New Zealand shall have power to remit all or any part of the said reduction of four pounds per hour, if he shall be satisfied that the delay in conveying the mail was attributable to causes over which the contractors had no control.

Payments by Colony of New Zealand.

12. For each and every mail which the contractors shall deliver at Sydney, or shall deliver at San Francisco from Sydney before the expiration of the time appointed in clause No. 9, they shall be paid by the Postmaster General of New South Wales the sum of five pounds for every complete hour saved, and for each and every mail which the contractors shall deliver at Auckland, or shall deliver at San Francisco from New Zealand before the expiration of the time appointed in clause No. 9, they shall be paid by the Postmaster General of New Zealand the sum of five pounds for every complete hour saved.

Bonus if mail delivered before time.

13. The sums payable to the contractors under the three last preceding clauses shall be in full satisfaction for all services rendered under this contract, including the receipt, conveyance, and delivery by the contractors of the mails to and from Honolulu and Kandavau respectively, and shall be payable at the respective Treasuries in the places appointed for payment to an agent to be appointed by the contractors at each of those places to receive the same respectively, immediately after the due delivery of each mail in the Colony, or the advice by the return mail from San Francisco of the due delivery of the mail shall be received, as the case may be: Provided always that the provisions hereinbefore contained for payment for the conveyance of mails otherwise than within the times stipulated for in clause No. 9 of these presents, shall not be deemed or construed to relieve the contractors from liability for default in the due

When and where payment to be made.

due performance of the stipulations contained in the same clause, or to disentitle the Postmasters General to determine this contract under clause No. 24 of these presents on account of any such default, it being hereby expressly agreed that the performance of the service hereby contracted to be performed within the times mentioned in clause No. 9 of these presents shall be deemed and held to be the essence of this contract.

As to subsidies for conveyance of other mails.

14. The Colonies of New South Wales and New Zealand, or either of them, shall be entitled to retain to their or its own use respectively any subsidy allowed to them or either of them by the Government of the United Kingdom of Great Britain and Ireland, and to retain and divide between them equally any subsidy or payment which may be agreed to be paid by any other Australasian Colony or dependency, or any of the Polynesian Islands, for the conveyance of mails over the aforesaid routes after deducting any payments made or expenses, if any, incurred by the Postmasters General, or either of them, for the conveying mails to or from any or either of the ports or places hereinbefore appointed for the receipt or delivery of mails; but the contractors shall be entitled to the benefit of and to receive any subsidies or payments which the contractors may be able to induce any Government other than as aforesaid to agree to pay for the conveyance of mails over the aforesaid routes, after deducting any payments made or expenses, if any, incurred by the Postmasters General, or either of them, for the conveying mails to and from any and either of the ports or places aforesaid, provided the arrangements for the services in respect of any such subsidy shall be approved by the Postmasters General.

Vessels to be fitted with places for deposit of mails.

15. The contractors shall provide to the satisfaction of the Postmasters General, on board all steam vessels employed under this contract, proper, safe, and convenient places of deposit for the mails, with locks, keys, and secure fastenings.

Accommodation to be provided for sorting mails.

16. The contractors shall also provide, to the satisfaction of the Postmasters General, all necessary and suitable accommodation, including lights for the purpose of sorting and making up the mails on board the several vessels employed under this contract, and on being required to do so by the Postmasters General or either of them, shall, at their own cost, erect or set apart in each of the said vessels a separate and convenient room for such purposes; and all such furniture, lamps, fittings, and other conveniences shall be from time to time cleansed and kept in repair, and the oil for the lamps supplied by the servants of and at the cost of the contractors. The master or commander of each of the said vessels shall also, if required, provide assistance for conveying the mails between the mail room and the sorting room without charge.

Mails may be entrusted to commander.

17. If the Postmasters General, or either of them, shall think fit to entrust the charge and custody of the mail or his respective mail to the master or commander of any vessel to be employed under this contract, and in all cases where the officer or other person appointed to have charge of the mail shall be absent to the knowledge of the master or commander of such vessel, such master or commander shall, without any charge, take due care of, and the contractors shall be responsible for the receipt, safe custody, and delivery of the said mail at the several appointed places on the shore in the respective ports as part of the services hereby contracted to be rendered. The master or commander shall also make the usual Post Office declaration, and furnish such journal, returns, and other information, and perform such other services as the Postmasters General or either of them or their or either of their officers shall from time to time reasonably require.

Orders of officers of Post Office to be attended to.

18. The contractors and all commanding and other officers in charge of the vessels employed under this contract shall at all times punctually attend to the orders and directions of the Postmasters General, or either of them, their or either of their officers or agents as to the mode, time, and place of landing delivering, and receiving the mails, subject to the special provisions herein contained, and so far as such orders and directions are reasonable and consistent with the safety of the vessels.

Contractors to have no claim for postage, &c.

19. The contractors shall have no claim to any postage, nor to any sum on account thereof, for mails carried in any vessel employed in the service under this contract, or on account of any services rendered, except as herein specially provided to be paid.

Accommodation to be provided for Post Office officials.

20. The contractors shall provide suitable first-class accommodation for a mail officer or agent and one assistant for each of the Postmasters General on board each of the vessels employed under this contract, who shall be at liberty to use such accommodation as may be required for the performance of their duties; and such officers or agents and assistants shall be victualled by the contractors as chief cabin passengers without charge either for their passage or victualling, and whilst the vessel stays at any port, excepting the ports of Sydney and San Francisco to or from which the mails are conveyed, such officers, agents, and assistants shall be allowed to remain on board and shall be victualled as aforesaid.

Post Office officials to be treated as agents of Postmaster General.

21. Every such mail officer or agent and assistant shall be recognised and treated by the contractors, their officers and agents as the agent of the Postmasters General respectively or Postmaster General by whom he may have been appointed as the case may be, and as having full authority in all cases to require a due and strict performance of this contract: Provided that no such agent, officer, or assistant shall have power to control or interfere with any master commander or officer in the performance of his duty; and every such agent, officer, and assistant shall be subject to all general orders issued by the master or commander for the good order, health, and comfort of the passengers and crew and the safety of the vessels.

Vessels not to pay dues.

22. During the continuance of this contract, and so long as the same shall be faithfully carried out by the contractors, no charge for pilotage, tonnage, light-house, or harbour dues shall be made in New South Wales for any of the steam-vessels employed in carrying out this contract, and the contractors shall be at liberty to use once in every four weeks for five days at a time the Fitzroy Dry Dock at Sydney if not leased or otherwise occupied, and also the workshops there, on payment only of the expenses of and attending such use, and no charge for pilotage, tonnage, light-house, or harbour dues shall be made at any port in New Zealand in respect of any of the steam-vessels employed in carrying out this contract.

Contract not to be assigned.

23. This contract or any part thereof shall not be assigned or underlet or disposed of by the contractors without the joint consent in writing of the Postmasters General first obtained for such purpose.

If contract be assigned, or contract not being *bona fide* performed, Postmaster General may put an end to it.

24. In case this contract or any part thereof shall be assigned, underlet, or otherwise disposed of by the contractors otherwise than with such consent as last aforesaid, or in case of any great or habitual non-performance or non-observance of this contract, or of any of the covenant, matters, or things herein contained, and on the part of the contractors, their officers, agents, or servants, or any of them, to be observed and performed, and whether there be or be not any penalty or sum of money payable by the

he contractors for any such non-observance or non-performance, it shall be lawful for the Postmasters General or either of them, if they or he shall be of opinion that the contractors are not *bond fide* carrying out the provisions herein contained, and they shall jointly so think fit (and notwithstanding there may or may not have been any former non-observance or non-performance of this contract), by writing under their or his hands or hand, to determine this contract without any previous notice to the contractors or their agents. And the contractors shall not be entitled to any compensation in respect of such determination. And such determination shall not deprive the Postmasters General or either of them of any rights or remedies to which they or he would otherwise be entitled by reason of any non-observance or non-performance of any of the provisions herein contained: Provided always that if within but not after twenty-eight days after any notice of the determination of this contract shall have been given to either of the contractors or left for them as hereinafter mentioned, the contractors shall give notice in writing to the Postmasters General, that they require that the question, whether there was such a great or habitual non-observance or non-performance of this contract, on the part of the contractors, as to justify the Postmasters General, or one of them, in determining the same, shall be referred to arbitration, then such question shall be determined by arbitration in the manner hereinafter provided with regard to differences arising between the Postmasters General and the contractors. In case the arbitrator or arbitrators, or the umpire, shall at any time or times decide that the Postmasters General were not justified in determining the contract, the Postmasters General shall have and be entitled from time to time to exercise the power hereinbefore given to them, to determine the contract as fully and effectually as if they had not on any previous occasion or occasions, attempted to exercise such power. And the contractors shall not be entitled to any compensation in respect of the attempted determination of the contract, or any loss, damages, or expenses which may be incurred by the contractors by reason thereof.

25. The Postmasters General, or either of them, may, if they or he think fit, except from any such determination any voyage or voyages, and if any vessel or vessels should have started before the determination of this contract, or before the masters or commanders thereof could have received the news of such determination, or should after the determination start with a mail on any voyage or voyages so excepted as aforesaid, the voyage or voyages shall be continued and performed, and the mails be delivered and received as if this contract had remained in force with regard to any such vessels; and with respect to such vessels, this contract shall be considered as having terminated only when such vessels shall have reached their port or place of destination and the mails carried by them shall have been delivered.

Vessels en route to complete voyage.

26. All notices or directions which are hereby authorized to be given to the contractors, their officers, servants, or agents, may be delivered to the master or commander of any of the said vessels, or other officer or agent of the contractors in the charge or management of any vessel employed in the performance of this contract on board such vessel, or left for the contractors on board such vessel, or at either of the offices or houses of business at Sydney, or Auckland, of the contractors or their agents, and any notices or directions so given or left shall be binding on the contractors: Provided always, that any notice of the determination of this contract shall be given to one of the contractors or left for them at their last known office or place of business in San Francisco, Sydney, or Auckland (if any) as the Postmasters General may think fit.

Notices, how to be given.

27. It shall be lawful for the Postmasters General, or either of them, by writing under their respective hands, at any time, and from time to time, to delegate all or any of the powers whether joint or several vested in them or him respectively by virtue of this contract to such person or persons as they or he may think fit.

Power may be delegated.

28. If the contractors shall fail to commence the performance of the services hereby contracted to be by them performed according to the provisions hereof, or having commenced the same, shall refuse or wilfully neglect to carry on the same according to the true intent and meaning of these presents, they shall forfeit and pay to the said Postmasters General the sum of twenty-five thousand pounds, to be equally divided between the Postmasters General, as and by way of liquidated damages and not by way of penalty.

Damages for default.

29. All and every the sums of money hereby stipulated to be paid by the contractors shall be considered as liquidated or ascertained damages, whether any damage or loss shall have or shall not have been sustained, and may be set off by the Postmasters General, or either of them, against any moneys payable to the contractors under or by virtue of these presents, or may be enforced by both or either of the Postmasters General as a debt due, with full costs of suit, at their or his discretion: Provided always, that the payment by the contractors of any sums of money for any neglect or default in the observance or performance of the covenants or agreements herein contained shall not in any manner prejudice the rights of the Postmasters General, or either of them, to treat such defaults as a non-observance or non-performance of this contract on the part of the contractors.

Sums payable by the contractors to be a debt.

30. The contractors shall, if so required, upon the acceptance of their tender, with two sureties, to be approved by the Postmasters General, jointly and severally enter into a bond in the penal sum of twenty-five thousand pounds, conditioned for the due and faithful performance of the covenants and agreements on the part of the contractors herein contained according to a draft or form already agreed upon.

Contractors to enter into bond.

31. If any dispute, question, difference, or controversy, shall arise between the Postmasters General or their respective Governments and the contractors touching these presents, or any clause or thing herein contained, or the construction thereof, or any matter in any way connected with these presents or the operation hereof, or the rights, duties, or liabilities, of the said Governments respectively or of the contractors, in connection with the premises, then and in every or any such case the matter in difference shall be referred to arbitration in manner hereinafter mentioned, and the award of the arbitrator or the arbitrators, or the umpire appointed as hereinafter mentioned as the case may be, shall be binding and conclusive in every respect.

Arbitration clause.

32. Unless the Postmasters General and the contractors shall concur in the appointment of a single arbitrator, each party, on the request of the other party, shall nominate and appoint an arbitrator, to whom such dispute, question, difference, or controversy, shall be referred; and every appointment of an arbitrator shall be made on the part of the Postmasters General under their hands, and on the part of the contractors under their corporate seal and hands, or under the corporate seal or the hand of either of them, or under the hand of the accredited agent of the contractors (if any) at Sydney or Auckland; and such appointment shall be made in duplicate, and be delivered, one part to the other party, and the other part to

to the arbitrator on the part of the party by whom the same shall be made; and after any such appointment shall have been made neither party shall have power to revoke the same without the consent of the other, nor shall the death of either party operate as a revocation; and if for the space of fourteen days after any such dispute shall have arisen, and after a request in writing, in which shall be stated the matters required to be referred to arbitration, shall have been served upon the Postmasters General respectively, or given to either of the contractors, or left for them at their last known office or place of business in San Francisco, Sydney, or Auckland (if any) as the case may be, by the one party on the other party to appoint an arbitrator, such last-mentioned party fail to appoint an arbitrator, then upon such failure the party making the request and having appointed an arbitrator may appoint such arbitrator to act on behalf of both parties; and such arbitrator may proceed to hear and determine the matters which shall be in dispute, and in such case the award or determination of such single arbitrator shall be final.

33. If before the matters so referred shall be determined, any arbitrator appointed by either party die or become incapable, the party by whom such arbitrator was appointed, his successors in office, or successors or assigns, may nominate and appoint in writing some other person to act in his place; and if for the space of fourteen days after notice in writing from the other party for that purpose he fail to do so the remaining or other arbitrator may proceed *ex parte*, and every arbitrator so to be substituted as aforesaid shall have the same powers and authorities as were vested in the former arbitrator at the time of such his death or disability as aforesaid.

34. Where more than one arbitrator shall have been appointed, such arbitrators shall, before they enter upon the matters referred to them, nominate and appoint by writing under their hands an umpire to decide on any such matters on which they shall differ or which shall be referred to him, and if such umpire shall die or become incapable to act, they shall forthwith, after such death or incapacity, appoint another umpire in his place, and the decision of every such umpire on the matters so referred to him shall be final.

35. If in either of the cases aforesaid the said arbitrators shall refuse, or shall for fourteen days after the request of either party to such arbitration neglect to appoint an umpire, the Governor for the time being of the Colony of New South Wales shall, on the application of either party to such arbitration appoint an umpire, and the decision of such umpire on the matters on which the arbitrators shall differ or which shall be referred to him shall be final.

36. If when a single arbitrator shall have been appointed, or shall be proceeding *ex parte* under any of the provisions herein contained, such arbitrator shall die or become incapable to act before he shall have made his award, the matters referred to him shall be determined by arbitration in the same manner as if no such arbitrator had been appointed.

37. If where more than one arbitrator shall have been appointed, either of the arbitrators refuse or for fourteen days neglect to act, the other arbitrator may proceed *ex parte*, and the decision of such other arbitrator shall be as effectual as if he had been the single arbitrator appointed by both parties.

38. If where more than one arbitrator shall have been appointed, and where neither of them shall refuse or neglect to act as aforesaid, such arbitrators shall fail to make their award within three calendar months after the day on which the last of such arbitrators shall have been appointed, or within such extended time (if any) as shall have been appointed for that purpose by both such arbitrators, under their hands, the matters referred to them shall be determined by the umpire to be appointed as aforesaid, and the umpire shall make his award within three calendar months after the time when his duties shall commence, or within such extended time (if any) as shall have been appointed for that purpose by the umpire under his hand.

39. The said arbitrator or arbitrators or their umpire may call for the production of any documents in the possession or power of either party which they or he may think necessary for determining the question in dispute, and may examine the parties or their witnesses on oath, and administer the oaths necessary for that purpose.

40. The costs of every such arbitration and of the award shall be in the discretion of the arbitrator, arbitrators, or umpire, who may direct to and by whom and in what manner the same or any part thereof shall be paid.

41. The arbitration shall take place and be conducted at Sydney aforesaid, and the arbitrator or arbitrators or the umpire, as the case may be, shall deliver his or their award in writing to the Postmasters General, and the Postmasters General shall retain the same, and shall forthwith on demand, at their own expense, furnish a copy thereof to the contractors, and shall at all times on demand produce the said award, and allow the same to be inspected or examined by the contractors or any person appointed by them for that purpose.

42. This submission to arbitration may be made a rule of any of the superior Courts of the United Kingdom of Great Britain and Ireland, or of the said Colonies, on the application of either the Postmasters General or the contractors.

43. If the respective General Assemblies of the said Colonies or either of them do not, in their next respective sessions, approve or ratify this contract, it shall be lawful for the Postmasters General, or either of them, to determine the same in the manner and upon the terms mentioned or provided in clause No. 24 of this contract, so far as the same are applicable, but the provision relating to arbitration in such clause contained shall not be applicable.

In witness whereof the said parties to these presents of the first and second parts have hereunto set their hands and seals; and the contractors have hereunto caused their common seal to be affixed, the day and year first above written.

The seal of the Pacific Mail Steamship Company is affixed by Charles Clark,
their attorney, thereunto duly authorized by power of attorney under
the common seal of the said Company.

(L.S.)

SCHEDULE A ABOVE REFERRED TO.

SCALE of Payment to be made by the Postmaster General of New South Wales for each mail conveyed from San Francisco to Sydney, and *vice versa*.

If conveyed within six hundred and forty-eight hours, one thousand seven hundred and twenty-nine pounds sixteen shillings and two-pence.

If not so conveyed, but conveyed within six hundred and seventy-eight hours, one thousand six hundred and twenty-nine pounds sixteen shillings and two-pence.

If not so conveyed, but conveyed within seven hundred and eight hours, one thousand five hundred and twenty-nine pounds sixteen shillings and two-pence.

SCHEDULE B ABOVE REFERRED TO.

SCALE of Payment to be made by the Postmaster General of New Zealand for each mail conveyed from San Francisco to New Zealand, and *vice versa*.

If conveyed from San Francisco to Auckland within five hundred and ninety-one hours, and from San Francisco to Port Chalmers within seven hundred and twenty-two hours, or from Port Chalmers to San Francisco within seven hundred and twenty-two hours, as the case may be, one thousand seven hundred and twenty-nine pounds sixteen shillings and two-pence.

If not so conveyed, but conveyed from San Francisco to Auckland within six hundred and seventeen hours, and from San Francisco to Port Chalmers within seven hundred and fifty-two hours, or from Port Chalmers to San Francisco within seven hundred and fifty-two hours, as the case may be, one thousand six hundred and twenty-nine pounds sixteen shillings and two-pence.

If not so conveyed, but conveyed from San Francisco to Auckland within six hundred and forty-five hours, and from San Francisco to Port Chalmers within seven hundred and eighty-five hours, or from Port Chalmers to San Francisco within seven hundred and eighty-five hours, as the case may be, one thousand five hundred and twenty-nine pounds sixteen shillings and two-pence.

J. F. BURNS. (L.S.)

As Postmaster General of New South Wales,
by his Attorney, DANIEL COOPER.

JULIUS VOGEL. (L.S.)

As Postmaster General of New Zealand,
by THOMAS RUSSELL, his Attorney.

The Seal of the

PACIFIC MAIL STEAMSHIP COMPANY. (L.S.)

(affixed by CHARLES CLARK, their Attorney.)

Signed, sealed, and delivered by the above-named John Fitzgerald Burns, by his Attorney Sir Daniel Cooper, Baronet, and by the above-named Sir Julius Vogel, by his Attorney, Thomas Russell, and sealed and delivered by the above-named Pacific Mail Steamship Company, by Charles Clark, their Attorney, in the presence of

JNO. MACKRELL,
Solicitor,

21 Cannon-street, London.

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

CONVEYANCE OF MAILS ACROSS AMERICA.

(CORRESPONDENCE, &c.)

Ordered by the Legislative Assembly to be printed, 12 July, 1876.

INCREASED Charge by the United States Government on Australian Mails crossing the American Continent.

SCHEDULE.

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No. 1.

THE AGENT GENERAL FOR NEW SOUTH WALES TO THE COLONIAL SECRETARY OF NEW SOUTH WALES, WITH ENCLOSURES.

S. 21/76.

London, 3, Westminster Chambers,
Victoria-street, S.W.,
10 February, 1876.

SIR,

I have the honor to transmit herewith a copy of a letter, dated 29th ultimo, addressed to me by the Secretary of State for the Colonies, forwarding copy of a letter from the Treasury, with its enclosures, on the subject of an increase which the Postmaster General of the United States proposes to make in the transit charges across the American Continent on the Australian and New Zealand mails *via* San Francisco.

As requested by Lord Carnarvon, Sir Daniel Cooper, Dr. Featherston, and myself had an interview with His Lordship on the 4th instant, when we pointed out that the Colonies could not be expected to entertain favourably the proposal contained in the correspondence, to the effect that a rate of 4d. be imposed for every 4 ozs. of newspapers. We reminded His Lordship that our recent mail contracts had been made on the faith of Lord Kimberley's telegram to Sir Hercules Robinson, of 16th May, 1873, and subsequent correspondence, in which it is distinctly stipulated that the Imperial Government would carry our mails to and from San Francisco free of charge, on the same footing as between Southampton and Galle, at least for five years. This view of the case is more fully shown in the despatch from Lord Kimberley to Sir Hercules Robinson, dated 13th June, 1873, with Enclosures A to F, which, as was pointed out to Lord Carnarvon, almost amounts to an invitation to the two Colonies concerned to take the course they have since taken.

After we had submitted our views on the question to Lord Carnarvon, His Lordship requested Dr. Featherston and myself to put the matter before him in writing, which will be done at an early date.

I have, &c.,
WILLIAM FORSTER.

[Enclosure 1 in No. 1.]

The Secretary of State for the Colonies to The Agent General for New South Wales.

(Pressing.)

Colonial Office,

Downing-street, 29 January, 1876.

Sir,

I am directed by the Earl of Carnarvon to transmit to you a copy of a letter from the Treasury, with its enclosures, on the subject of an increase in the transit charges across the American Continent, on the Australian and New Zealand mails conveyed *viâ* San Francisco, which, as the Postmaster General of the United States has informed Her Majesty's Government; is to commence on the 1st of this month.

His Lordship desires me to invite your immediate consideration of this subject, and to state that he proposes to invite you with Sir Daniel Cooper to meet him at this office on an early day, in order that he may consider any observations which you may have to offer on the question. A similar letter has been addressed to the Agent General for New Zealand.

I am, &c.,

ROBERT G. W. HERBERT.

[Sub-enclosures.]

The Treasury to the Colonial Office,—

Treasury Chambers,

21 January, 1876.

Sir,

I am directed by the Lords Commissioners of Her Majesty's Treasury to request that you will invite the attention of the Secretary of State to a question which has been raised by the Postmaster General of the United States of America with regard to the transit charges on the Australian and New Zealand mails conveyed *viâ* New York or Boston and San Francisco.

Up to the present time the charge made by the American Post Office has been 3½ cents an ounce on letters, and 6 cents a pound on newspapers and printed matter.

It is now found that those rates result in a serious loss to the American Government, and they have given notice that from the 1st instant they shall claim from Her Majesty's Postmaster General repayment at a rate sufficient to reimburse their outlay. This they calculate will amount to as much as 33 cents per pound, which they propose to charge both on letters and printed matter.

I am to enclose for Lord Carnarvon's information copies of a correspondence on the subject between the United States and Imperial Post Office. The effect of this change is expected to be an immediate increase of at least £12,000 a year in the cost of conveyance of the Colonial mails across the North American Continent; and my Lords are anxious to endeavour, with the assistance of Lord Carnarvon, to devise some means by which the Imperial Exchequer may be spared from having to bear the whole weight of this additional charge.

You will remember that the arrangements at present in force with respect to the Australian and New Zealand mails were the result of correspondence that took place in 1873, and that the terms agreed to by Her Majesty's Government were communicated to the Colonies in Lord Kimberley's telegram of the 16th May, 1873, confirmed by circular of the 13th June, 1873.

They were substantially that the Imperial Government would bear all charges for the conveyance of mails as far as Galle or Singapore, *viâ* Southampton, on the Eastern route, and as far as San Francisco on the Western, but that on mails sent *viâ* Brindisi the additional charge imposed on account of Continental transit should belong to the British Post Office.

It may be observed that in the earlier letters of the correspondence in 1873, between the Departments of the Colonial Office, the Treasury, and the Post Office, it was evidently the intention to adopt, with respect to the mails *viâ* San Francisco, a course similar to that taken with the Brindisi mails, and to stipulate that the Imperial Post Office should claim so much of the postage as might be applicable to the transit payments to the United States Government, but for some reason which does not appear in the correspondence this intention was subsequently abandoned. Possibly this may be accounted for by the fact that the charges made by the United States Government were at that time little more than nominal. That condition of affairs is now, however, changed—so much so as to inflict serious loss on the Imperial Exchequer unless steps are taken to remedy the evil. For instance, on every 4 oz. of newspaper sent to or from this Country somewhat more than 4d. will have to be paid to the United States Government, although the whole postage charged is only 1d., and on homeward mails no part even of that 1d. is received by the Imperial Post Office.

It must be borne in mind that no stipulation was made either on the part of the Imperial or Colonial Governments with regard to the rates of postage to be charged, and it is therefore open to either side to revise the rates at present in force. Looking to the altered circumstances detailed above, my Lords are of opinion that they would be fully justified in imposing, at all events on outward newspapers, a postage which would cover the transit charges of the United States Post Office.

For the homeward mails they would be content not to disturb the existing arrangements under which the Colonies retain the postage they impose on the mails arriving in England *viâ* San Francisco, but it would appear only reasonable that the English Post Office should be at liberty to demand a postage on newspapers on delivery which would be sufficient to cover the transit charges of the United States Government.

My Lords propose, with Lord Carnarvon's concurrence, to fix the rate of postage on outward newspapers, &c., at 4d. the 4 oz., the change, however, not to take effect until the 1st May, in order that the Colonies may have ample notice. At the same time, it must be understood that the question will be reconsidered as a whole when the term for which the present arrangement was made expires, viz., on the 1st January, 1879.

I am, &c.,

WILLIAM LAW.

Mr.

Mr. Jewell to The General Post Office.

Post Office Department,
Washington, 28 December, 1875.

My Lord,

I have the honor to again invite your Lordship's attention to the necessity of increasing the United States' territorial transit rates accounted for by your Department, on the correspondence transmitted in closed mails *via* San Francisco, between the United Kingdom, New Zealand and Australian Colonies, which formed the subject of my letter, 10th August last (No. 35,971), to which a reply was made under date of 10th September last (No. 495a), and also of my further communication of 30th September last (No. 36,448), to which no reply has yet been received.

I also enclose for your information an advance copy, in pamphlet form, of the text of my last Annual Report to the President, in page 28 of which is a statement in tabular form, giving the actual cost per pound for transporting the mails on ten of the leading railway routes of the Country, calculated from the latest returns of the weight of mails and rates of pay fixed on those returns.

Your Lordship will observe from this statement that the cost of transporting mails between New York and San Francisco—a distance of 3,357 miles—is 33 $\frac{1}{2}$ cents per pound, instead of 28 cents, as stated in my previous communications above-referred to, the first calculation having been erroneously made on the basis of six instead of seven days per week.

I deem it unnecessary to recapitulate the reasons which justify the claim of this Department for an equitable readjustment of the rates now paid by your Office for the transportation of these mails across the American Continent, further than to state that the amount actually paid for their transportation should be reimbursed by your Office, in order to save the revenues of this department from loss; and, therefore, I consider it necessary to inform you that, in lieu of the existing rates, this department will claim a credit on the British closed mails transported on and after the 1st of January next of 33 cents per pound on both the letters and printed matter closed mails which may be conveyed by the railway between the Atlantic and Pacific Coasts *via* San Francisco.

I have, &c.,
MARSHALL JEWELL.

Extract of a letter from the Postmaster General of the United States to the Postmaster General, London, dated, Washington, 10th August, 1875.

"I am, however, to observe in this connection that, as the actual cost to this department of transporting the English closed mails by rail between Boston or New York and San Francisco, not including any estimate of expenses of handling and transfer at the terminal and intermediate points, is \$577 per ton, the transit rate of 6 cents per pound for the printed matter forwarded in said mails now accounted for by your department is wholly inadequate to defray the cost of transportation, involving a loss to the revenues of this department of \$457 a ton, or \$50,000 per annum, on the printed matter portion of the British closed mails for and from New South Wales, New Zealand, &c., &c., transported to and from San Francisco. The Postmaster General deems it proper, therefore, to draw your attention to the manifest insufficiency of the transit rate now accounted for on the printed matter forwarded in closed bags *via* San Francisco between the United Kingdom and those Colonies, and to inquire whether your department is not willing to increase the rate to be credited to this department on this portion of the closed mails in question to an amount which will defray the actual cost of railway transportation, which exceeds 78 cents a pound."

The Postmaster General, London, to The Postmaster General of the United States.

General Post Office,
London, 10 September, 1875.

Sir,

In your letter of the 10th ultimo (No. 35,971) on the subject of the transit rates due to the United States Post Office on the closed mails sent through the United States territory, you state that the actual cost of conveying between Boston or New York and San Francisco the English mails to and from Australia and New Zealand greatly exceeds the amount of transit postage accounted for by this department on account of such conveyance. You add, that this cost is \$577 per ton, and that the loss to the United States Post Office is \$457 per ton; and you inquire whether this department is not willing to increase the rate of six cents per pound, which, in conformity with the provisions of the Postal Convention of the 7th November, 1868, is now accounted for by the British to the United States Office on the printed matter comprised in the mails in question, to an amount which will cover the cost of transportation. This application has taken the Postmaster General completely by surprise.

The rate of postage established for the correspondence exchanged between the United Kingdom and the United States has for many years applied equally to letters to and from San Francisco, and to letters to and from towns on the Atlantic seaboard, and the transit rates paid to the United States on closed mails to or from British Columbia have not exceeded in amount those paid on closed mails which are only conveyed to or from the frontier towns of New Brunswick or Canada. In like manner, the British transit rates on United States closed mails for the Continent of Europe, whether they were conveyed from Queenstown or from Southampton to Dover, have been uniform.

In May, 1870, when it was announced by this department to the United States Post Office that the British mails to and from Australia and New Zealand were about to be forwarded by the route of San Francisco, and that payment for the transit through the United States territory would be made at the rates fixed by the Postal Convention there in force, no intimation was given to this department that those rates were not sufficient to cover the cost of railway conveyance, and that a demand for an increased payment might at a future time be made.

On

On the faith therefore that the existing transit rates would be maintained, two contracts have been entered into by the Governments of New South Wales and New Zealand for the conveyance from San Francisco to Sydney and Auckland of the English mails to those Colonies, and a third contract, which is to continue in force for eight years, is about to take effect.

Such a demand as that now made will, if entertained, most seriously disturb all the calculations upon which that contract has been entered into.

A payment of 28 cents per pound (though I may here observe that 577 dollars per ton is equivalent to 25½ cents and not 28 cents per pound) would make the charge for American transit at least threepence for an ordinary English newspaper, independent of the postage chargeable for the British and Colonial territorial and sea services, while according to the table C transmitted in your letter of the 20th May last, the postage to be accounted for to the United States Post Office on an English newspaper addressed to New South Wales or New Zealand if sent from hence in the ordinary mail for the United States would be ten centimes or 2 cents only. It is further believed that the postage levied on a United States newspaper posted in New York addressed to New South Wales or New Zealand does not exceed that sum. Under these circumstances the Postmaster General, before communicating with the Governments of New South Wales and New Zealand on the subject, has desired me to request that the whole question may be reconsidered, and he trusts that the result of such reconsideration will be that the demand for an increased payment may not be persisted in.

I have, &c.,
JOHN TILLEY.

The Postmaster General of the United States to The Postmaster General, London.

Post Office Department, Washington, D.C.,
30 September, 1875.

Sir,

The Postmaster General has received your letter No. 495a of the 10th instant, in relation to a proposed increase of the transit rate accounted for by your department under the provisions of the Postal Convention of 24 November, 1868, on the printed matter portions of the closed mails for and from Australia and New Zealand, sent through the United States territory between Boston or New York and San Francisco, and he directs me to inform you in reply that, in calling your attention to the insufficiency of the existing transit rate of 6 cents per pound, he presumed that a simple statement of the facts in the case would of itself be sufficient to show the propriety of an equitable readjustment of the transit rate established by that convention, which was fixed as the basis of half the domestic postage charges, prior to the forwarding of the Australian mails by way of the United States, and when the correspondence transported over the overland route *via* San Francisco was small in bulk, comprising only the closed mails for and from British Columbia.

It is true that uniform rates of postage are levied in the United States on correspondence of all kinds without regard to distance, and it has been the policy of this department to maintain like uniformity of rates for the correspondence which it exchanges under postal arrangements with Foreign Countries. There is no purpose now to depart from that principle, although the distances traversed by the mails far exceed those of other Countries, except perhaps Russia.

This department is also willing to accept uniform transit rates, without regard to distance, for the closed mails transported over all its routes of territorial transit, the length of which vary only a few hundred or even a thousand miles; but with respect to the great overland railway route between the Atlantic and Pacific Oceans which, by reason of its unparalleled length of over 3,300 miles, and consequently heavy expenses of mail transportation, amounting, on July 1st, 1875, to \$1,347,427 per annum—being at the rate of \$577 per ton of 2,000 pounds—an exceptional adjustment of transit rates would appear to be demanded by every principle of justice.

The propriety of excepting this route from the ordinary transit rates established for the territorial conveyance of closed mails was recognized by the postal delegates of the Countries represented by the Berne Congress, and for that reason the transit rates established by the Treaty of Berne were not applied to the mails transported by the railways between New York and San Francisco.

If the Australian mails, forwarded by way of the United States, were small in bulk, it would not be a matter of any great importance if the transit rate was insufficient to defray the cost of railway transportation; but in view of their great bulk of weight, averaging several tons per each despatch, the financial aspect of it has attracted the notice of the Postmaster General, inasmuch as the payments made to the Railway Companies under the Act of March 3rd, 1873, are based upon the actual weights of the mails transported, which weights are accurately taken at stated periods, and the payments for mail transportation readjusted in accordance therewith. The cost of the railway mail service taken between New York and San Francisco has increased nearly a half a million of dollars per annum since the 1st July, 1870, and this increase is of course due to a greater or less extent to the heavy Australian mails transported over that route.

It is also true as stated in your letter, that according to table C, which was furnished your department under date of 20th May last, the postage to be accounted for on an English newspaper addressed to New South Wales or New Zealand, when sent in the open mail to this Country, is 10 centimes or 2 cents, that being the postage chargeable under the postal conventions with those Colonies on newspapers posted in the United States, and addressed to them, which postage for newspapers exceeding two ounces in weight is less than our domestic transient rate.

This rate on newspapers, pamphlets, books, and other articles of printed matter is, 1 cent for each ounce or fraction of an ounce, so that the domestic postage on transient printed matter of all kinds, including newspapers transported any distance in the mails of the United States, is never less than sixteen cents per pound.

In regard to the high rates of transit from ocean to ocean as compared with domestic rates, it is perhaps but just to state that the domestic prepaid rates on newspapers from known offices of publication to regular subscribers are but 2 cents per pound for dailies and weeklies, and 3 cents per pound for monthlies, which rates cause a very large loss to this department on the long distances.

The

The average distance, however, of transporting such postal matter is but a few hundred miles.

The expenditures of this department, as is well known, exceeds its revenues by something over seven millions of dollars annually. This results in great part from the policy of supplying the more remote and sparsely settled sections of our Country with adequate mail facilities as a means of developing their resources, and our citizens are willing to submit to the taxation necessary to accomplish that object; but these considerations do not apply to foreign mails transported over our territory for the benefit of citizens of other Countries, and which transportation in the case of New South Wales and New Zealand closed mails is not for the shorter distances, but always for the great distance of 3,300 miles from ocean to ocean.

The fact adverted to in your letter, that when notice was given by your department, in May, 1870, of its intentions to forward the Australian mails by way of the United States, nothing was said about the insufficiency of the transit rates established by the Convention of 24 November, 1868, was doubtless owing to the circumstances that, at that time, the payments made for mail service performed on the Union Pacific and Central Pacific Railways was a fixed annual compensation, without regard to the weights of the mails transported. Moreover, this department had at the time no accurate information in regard to the weight of these mails, and although it was supposed that they would be quite large, the Postmaster General was not disposed to offer objections to the rates so recently established by Postal Convention. But since that time the situation has greatly changed. The different Acts of Congress regulating the mail pay or railroad routes, particularly the Act of March 3rd, 1873, which was demanded by the railway interests in consequence of the very rapid increase of the weight and bulk of mails, consequent on the growth and development of the country, and which largely increased the rates of compensation to be paid on the basis of weights, have resulted in making still more manifest the inadequacy of the transit rate for printed matter adopted by the Convention of 1868.

The Postmaster General regrets that the suggestion made in his letter of the 10th ultimo, for what appeared to him an equitable adjustment of the transit rate on printed matter mails sent across the American Continent, *via* New York and San Francisco, should have occasioned any surprise, and also that the proposed increase of the transit rate will disturb the calculations under which contracts have been made by your department with the Governments of New South Wales and New Zealand.

He simply performed what he considered his duty as an executive officer of the Government, in inviting your attention to the loss in fact incurred by this department in transporting these closed mails between New York and San Francisco; and he trusts that you will not hesitate, under the circumstances, to take into consideration such a re-adjustment of the present rate of transit as will save the revenues of this department from actual loss in transporting the mails of other Countries through its territory. I am further directed by the Postmaster General to observe that the statement of \$577 per ton, made in his letter of the 10th ultimo, was for a ton of 2,000 pounds in. This department actually pays 28 cents per pound on all descriptions of mail matter transported by rail between New York or Boston and San Francisco.

I am, &c.,
JOSEPH A. BLACKFAN,
Superintendent of Foreign Mails.

[Enclosure 2 in No. 1.]

Mr. Forster to The Colonial Office.

3, Westminster Chambers, S.W.,
2 February, 1876.

Sir,

I have the honor to acknowledge the receipt of your letter of the 29th ultimo, transmitting a copy of a letter from the Treasury with its enclosures on the subject of an increase in the transit charges across the American Continent on the Australian and New Zealand mails conveyed *via* San Francisco.

In compliance with the Earl of Carnarvon's request, as conveyed in your letter, I shall give my immediate attention to this subject, and I shall be in readiness to meet His Lordship with reference thereto at any time that he may be pleased to appoint.

I am, &c.,
WILLIAM FORSTER.

No. 2.

THE AGENT GENERAL FOR NEW SOUTH WALES to THE COLONIAL SECRETARY, NEW SOUTH WALES.

London, 3, Westminster Chambers,
Victoria-street, S.W., 9 March, 1876.

SIR,

With reference to my letter to you of the 10th ultimo, No. 21-76, transmitting copy of correspondence received from the Colonial Office on the subject of a proposed increase in the transit charges across America on our mails *via* San Francisco, I have now the honor to enclose a copy of a minute which I have written, and also of a letter, dated 28th ultimo, which I addressed to the Secretary of State for the Colonies on this subject.

I have, &c.,
WILLIAM FORSTER.

[Enclosure 1 in No. 2.]

Mr. Forster's Minute.

In the course of a late interview with Lord Carnarvon, at which were also present the Agent General of New Zealand and Sir Daniel Cooper, my views, in which substantially these two gentlemen concurred, were fully stated. Sir Daniel Cooper read from a written memorandum. It remains, therefore, for me only to place on record whatever may be necessary, in the shape of an official memorandum upon the subject, in order that a formal communication may be addressed to the Imperial Government in reply to a letter already received.

I regret very much that the position in which the Colonies concerned have been placed by former communications from the Colonial Office, and by the subsequent action taken with reference to these communications, appears to render it almost impossible for these Colonies to take any steps towards assisting Her Majesty's Government by sharing a portion of the burden imposed upon the latter by the course adopted by the Government of the United States. Among the communications above referred to, the chief are (1) Telegram from the Secretary of State for the Colonies to His Excellency the Governor of New South Wales, dated May 16, 1873. In this telegram it is clearly intimated that payment will be made by the British Government to each Colony contributing to the mail service of postage received on outward mails, and it is added, subject to certain immaterial conditions, that "similar payment will be made in case of establishment of service from Singapore or from San Francisco." 2. The undertaking thus signified is confirmed by letters from Lord Kimberley to Sir Hercules Robinson; from Mr. Lingen to the Under Secretary, Colonial Office, and from Mr. Stronge to the Postmaster General, dated respectively June 13, 1873, May 16, 1873, and May 14, 1873, and is enunciated in a more complete form in a letter from the Secretary to the Treasury to the Postmaster General, dated June 2nd, 1873. By these letters it will be seen that the Imperial Government not only undertake to convey the mails in question free, but that in effect the Colonies are invited, and the free postage from San Francisco held out as an inducement to these Colonies, to make arrangements upon the basis of such free postage for their letters, for the establishment of a mail service by way of San Francisco from N. S. Wales and New Zealand across the American Continent to London. It is a fact that such arrangements have been since entered into by the two Colonies concerned, upon that basis, and there can be no doubt that these arrangements were chiefly encouraged and induced by the promise of free postage as above indicated. I am satisfied that if payment for either letters or newspapers should be charged to either of these Colonies, the result would be no letters or newspapers would be transmitted from New South Wales by the San Francisco route, which would practically amount to this,—that New South Wales would be paying a heavy subsidy without deriving any corresponding benefit or equivalent, so far as the transmission of mails is concerned. Accordingly, to consent to the proposition emanating from the Imperial Postal Department, that a rate of 4d. should be charged on newspapers, would be to prohibit the transmission of newspapers by that route, and would be specially inconsistent with the policy of the New South Wales Government, which transmits newspapers free over the Colony, with certain limits as to time of publication.

It is not unworthy of remark, as bearing upon this question, that the idea of a uniform postal rate over the world, suggested and set in motion by what is known as the Berne Conference, was so far incomplete, that the projectors contemplated making an exception in regard to the San Francisco route over the American Continent. To agree to the proposals of the Imperial Postal Department would, therefore, have the effect of excluding New South Wales and New Zealand from the benefits of the uniform postal rate, at least in relation to this route.

I cannot therefore suppose, in consideration of these peculiar circumstances, that the proposal of the Imperial Postal Department to charge 4d. upon newspapers by the San Francisco route will be pressed any further by Her Majesty's Government, or that any expectation can be reasonably entertained of obtaining the acquiescence of the Colonies of New South Wales and New Zealand in that proposal.

W. F., 25/2/76.

[Enclosure 2 in No. 2.]

The Agent General for New South Wales to The Secretary of State for the Colonies.

London, 3, Westminster Chambers,
Victoria-street, S.W., 28 February, 1876.

Sir,

With reference to your letter of the 29th ultimo, transmitting a copy of a letter from the Treasury, with its enclosures, on the subject of an increase in the transit charges across the American Continent on the Australian and New Zealand mails conveyed *via* San Francisco, I have now the honor, in compliance with the Earl of Carnarvon's request, at the interview which I had with His Lordship, to submit the following remarks on the propositions contained in the correspondence in question.

I regret very much the position in which the Colonies concerned have been placed by former communications from the Colonial Office, and by the subsequent action taken with reference to these communications appears to render it almost impossible for these Colonies to take any steps towards assisting Her Majesty's Government, by sharing a portion of the burden imposed upon the latter by the course adopted by the Government of the United States. Among the communications to which I refer, the chief are:—

1. Telegram from the Secretary of State for the Colonies to His Excellency the Governor of New South Wales, dated 16th May, 1873, in which it is clearly intimated that the Imperial Government will pay to each Colony contributing to the mail service the postage received on the outward mails; and it is added, subject to certain immaterial conditions, that "similar payment will be made in case of establishment of service from Singapore or from San Francisco."
2. The undertaking thus signified is confirmed by a despatch, dated 13th June, 1873, from the Earl of Kimberley to Sir Hercules Robinson, and by its enclosed letters, A and B, from Mr. Lingen to the Under Secretary of State for the Colonies, dated 16th May, 1873, and from Mr. Stronge to the Postmaster General, dated 14th May, 1873; and it is enunciated in a more complete form in the letter from the Secretary to the Treasury to the Postmaster General, dated 2nd June, 1873, also enclosed (E) with the despatch above quoted.

By these letters it will be seen that the Imperial Government not only undertake to convey the mails in question free, but that in effect the Colonies are invited, and the free postage by San Francisco held out as an inducement to those Colonies, to make arrangements, upon the basis of such free postage for their letters, for the establishment of a mail service by way of San Francisco from New South Wales and New Zealand across the American Continent to London. It is a fact that such arrangements have been entered into by the two Colonies concerned upon that basis, and there can be no doubt that these arrangements were chiefly encouraged and induced by the promise of free postage as above indicated.

I must also point out, with reference to the remark in the Treasury letter of 21st January, 1876, that "it is open to either side to revise the rates at present in force," that throughout the correspondence above referred to, and the negotiations in connection therewith, it was fully implied and understood that the rates to be charged to the public *viâ* San Francisco would not exceed those *viâ* Southampton and Galle; and the existing higher rates by Brindisi are accounted for by the charge for the continental land transit, from which charge the San Francisco route is distinctly stated to be free. This appears very clearly in letter E, dated 2 June, 1873, from the Secretary to the Treasury to the Postmaster General, already referred to above, and acknowledged in letter F from the Secretary to the Postmaster General to the Secretary to the Treasury, dated 5th June, 1873.

I am satisfied that if the rates for either letters or newspapers were increased as suggested, the result would be that very few (if any) letters or newspapers would be transmitted to or from New South Wales by the San Francisco route, which would practically amount to this,—that New South Wales would be paying a heavy subsidy without deriving any corresponding benefit or equivalent, so far as the transmission of mails is concerned.

Accordingly, to consent to the proposition, emanating from the Imperial Treasury, that a rate of fourpence should be charged on newspapers, would be to prohibit the transmission of newspapers by that route, and would be specially inconsistent with the policy of the New South Wales Government, which transmits newspapers free over the Colony (with certain limits as to time of publication).

I have the honor, therefore, to express my hope that, on consideration of the peculiar circumstances above set forth, the proposal of the Treasury to charge fourpence upon newspapers by the San Francisco route will not be pressed any further by Her Majesty's Government.

I have, &c.,

WILLIAM FORSTER.

No. 3.

THE SECRETARY OF STATE FOR THE COLONIES TO SIR HERCULES ROBINSON, G.C.M.G., GOVERNOR OF NEW SOUTH WALES.

(No. 28.)

SIR,

Downing-street,
28 April, 1876.

I have the honor to transmit to you a copy of a letter from the Board of Treasury, dated the 21st January last, upon the subject of an intimation received from the Postmaster General of the United States to the effect that the United States Government find it necessary to raise the land transit charge on the Australian and New Zealand mails conveyed to and from San Francisco to 33 cents per pound, being the amount actually paid by them, and requesting my assistance to devise some means by which the Imperial Exchequer might be relieved from having to bear the whole weight of this additional charge, estimated to amount to some £12,000 a year.

2. On the receipt of this letter I communicated copies of it to the Agents General of New South Wales and New Zealand, and to Sir Daniel Cooper (who, as you are aware, while temporarily representing the Government of New South Wales, had been active in arranging the terms of the mail contracts for the Pacific services), and requested them to call at this office and make any representations they might desire to offer. After hearing them I requested them to communicate their views in writing, and I enclose copies of the letters which they subsequently addressed to this department.

3. After giving my most anxious consideration to the whole question, I felt unable to suggest any mode in which Her Majesty's Government could be relieved from the payment of such charge as may be made by the United States Government for the service in question. The decision of Her Majesty's Government (adopted in order to surmount a serious difficulty which had arisen between the Colonies as to the details of the mail service between Australia and this Country) was, I represented to the Treasury, beyond doubt intended to place the three new Colonial Ocean Services then contemplated as far as possible upon an equal footing, by this Country undertaking to carry all mail matter not only free of charge to the Colonies, but for equal rates of postage (being the rates then existing) to and from the respective termini of those three services, *viz.*, Galle, Singapore, and San Francisco.

4. I explained that it was on the faith of this understanding that the Colonies of New South Wales and New Zealand undertook the Pacific Mail Service to and from San Francisco, the cost of which is very heavy, and which could not have been attempted if it had been liable to be placed at a disadvantage as compared with the other two routes, in regard to postal rates or in any other respect not foreseen at the time of entering into the engagement. I therefore informed the Lords Commissioners of the Treasury that in my opinion it would not be open to Her Majesty's Government to propose an additional charge on newspapers or other mail matter either outwards or homewards.

5. I have now the honor to inform you that, after full consideration, their Lordships have agreed that, during the continuance of the present postal arrangement with the Australasian Colonies, Her Majesty's Treasury should maintain the existing rates for mail matter carried *viâ* San Francisco, accepting the burden of defraying the increased transit charge levied by the United States.

6. The Treasury wish it however to be understood that they cannot undertake to defray these charges after the termination of the period of five years for which it was settled, that the present arrangement should last, and that the Colonies must then contemplate the possibility of a modification being made in order to relieve Her Majesty's Government of at least some portion of the exceptionally heavy cost of the land conveyance of the mails *viâ* San Francisco.

7. I have much pleasure in conveying to you the decision of the Lords Commissioners of the Treasury not to disturb in any way the arrangements which, after much consideration, were carried out for carrying the mails between Great Britain and the Australasian Colonies along the best and most carefully selected routes; and I desire further to urge upon the Colonies of New South Wales and New Zealand that, in the same spirit in which Her Majesty's Government have accepted a heavy burden which has fallen upon their share of the common undertaking, the Colonial Governments should consider whether they on their side cannot overcome any difficulties which may have arisen in carrying on the Pacific Mail Service on the route as now adopted.

8. It is needless to point out that the interests of the Colony of Fiji are involved to a most important extent in the maintenance of the present route, nor can it be supposed that the interests of Australia and

* Treasury, 21 Jan., 1876.
Memo. by Sir D. Cooper, 4 Feb., 1876.
Dr. Featherstone to C. O., 8 Feb., 1876.
† Mr. Forster to C. O., 23 Feb., 1876.

and New Zealand are uninfluenced by it. Without reverting to those essentially Colonial considerations on which the annexation of the Fiji Islands was determined, they may I think be properly recalled to the recollection of your Ministers if, as you lately intimated to me, it is contemplated that in consequence of the absence of lights the steamers should cease to call at Fiji, on their way to and from San Francisco and New South Wales and New Zealand.

9. When the site of the capital of the Colony of Fiji is decided, it may be possible for the Colony to do what is requisite in regard to lighting the approaches to the port. But whatever may be done in this matter, it may fairly be expected that, as the mail steamers have hitherto called at a port in Fiji without the coasts being lighted, they shall continue to do so for the remainder of the time during which the present arrangement is to last. Whatever may be done as to the lights, Her Majesty's Government are I think only pressing for what is reasonable and just in urging this as a return for the new burden which it may be contended on behalf of this Country is now cast upon it of conveying the mails to and from San Francisco at a cost which was not contemplated in 1873, and which would in all probability if then anticipated, have precluded Her Majesty's Government from undertaking what it then bound itself to do.

I have, &c.,
CARNARVON.

[Enclosures.]

Enclosure marked * in this Despatch is the same as that enclosed in Mr. Forster's Despatch dated 10th February, 1876, No. 1.

Enclosure marked † in this Despatch will be found as an enclosure in Mr. Forster's Despatch, dated 9th March, 1876, No. 2.

MEMORANDUM by Sir Daniel Cooper on letter (and enclosures) of Mr. Law, of the Treasury, in the matter of the transit of the Mail to and from New York and San Francisco.

WHEN the Imperial Government wished to relieve itself from the responsibility and trouble attaching to the Mail Service between England and Australia, finding that united action could not be obtained between all the Colonies, it offered to carry to and receive at Galle and Singapore, respectively the mails by the Eastern route, also at San Francisco by the Western passage; and Lord Kimberley sent his decision to that effect to the various Colonies, as per telegram, 16th May, 1873,—this arrangement to hold good for five years.

Whatever negotiations took place between the Treasury, the Colonial Office, and the Post Office, New South Wales at least was no party to them, but was reluctantly compelled to work under the yoke of Melbourne, or seek the aid of New Zealand in establishing the Western mail route on a sound and permanent footing. After many breakdowns and expending many hundreds of thousands of pounds, these two Colonies have just entered into a contract for eight years, which they believe will work satisfactorily, and the mail will be delivered each way within forty-eight days, for which service they are to pay a subsidy of £90,000 a year.

This contract was made on the basis of the present postal rates not being increased, and the confidence that a public arrangement made by the Secretary of State for the Colonies would be held inviolable.

Mr. Law's comparison between the San Francisco route and that *via* Brindisi does not hold good; if comparison be made at all, it must be between the Southampton route, to which the Brindisi is only a fast branch or an express supplement, and which does exceptional work over that branch, and for which those who do not avail of the main or Southampton line pay an extra rate.

As a colonist I protest most emphatically against any alteration of the postal rates as at present existing, at all events until the expiry of the five years designated in Lord Kimberley's telegram. The reason advanced by Mr. Law for attempting to disturb this arrangement is in reality a strong argument why the same should be maintained. It is clear that the Government did not make this arrangement in ignorance of the difficulty that has arisen, but had actually discussed and then made their own terms, deliberately omitting that which, if brought forward, would most certainly have been resolutely resisted, both by New South Wales and New Zealand, who claimed then and claim now that they should have the power of sending their mails at the same rate of charge in all respects as the mails using the Eastern passage. This I have no doubt was the intention of Lord Kimberley, and this is why no allusion as to the possibility of any extra charge was made in the telegram.

It is quite useless for the Lords of the Treasury to make any recommendation that the charge for newspapers should be fourpence for four ounces (4d. per 4 oz.),—the real question is that the charge must be the same as that by the Eastern route, one penny for four ounces (1d. per 4 ozs.), or prohibit altogether the sending of any but letters by the San Francisco route. They may just as well recommend 4s. for 4 ozs. as 4d. Those who wish to send newspapers by the Eastern route can do so *via* Southampton, and it is at their own option whether or not they pay the extra charge *via* Brindisi, but *via* San Francisco there is no such choice.

Should the Imperial Government consider it has a just claim on New Zealand and New South Wales, and that it can substantiate it, I would humbly suggest that the better course would be to make the claim for the full sum of £12,000, and try to arrange the matter by friendly negotiation.

In taking the course recommended by the Lords of the Treasury of making so serious an alteration of the postal rates at a few days notice, unknown to the two Colonies most interested, and with Lord Kimberley's arrangement still in force, an amount of indignation and ill-feeling will be aroused that it will take many years to allay, especially as the new contract at £90,000 per annum, for eight years, has only just commenced, and of that sum £15,000 a year has been incurred almost expressly to meet the wishes of the Home Government to have rapid and regular communication with the new Colony of Fiji.

It is not for me to deal with the question as between the Imperial Government and that of the United States, which is the real point at issue, and not one as between Australia and the Home Government, and I respectfully suggest that the Government should hesitate while attempting to extricate itself from a small pecuniary difficulty with the United States Government, and not create a much more complicated and formidable entanglement with two of its finest Colonies, which, once effected, no mere expenditure of money could obliterate or efface.

20, Princes Gardens,
4th February, 1876.

DANIEL COOPER.
Dr.

Dr. J. E. Featherston to The Earl of Carnarvon.

7, Westminster Chambers,
Victoria-street,
Westminster, 8 February, 1876.

My Lord,

In compliance with the wish which you were so good as to express when I had the honor of having an interview with your Lordship on the 4th instant, in company with Sir Daniel Cooper and Mr. Forster, Treasurer of New South Wales, regarding a proposal made by the Lords Commissioners of Her Majesty's Treasury to raise the postage on newspapers addressed in the United Kingdom to the Australasian Colonies *via* San Francisco from one penny to fourpence, I have now the honor to submit to your Lordship a statement of my reasons for regarding this proposal as a manifest contravention of the arrangements made for the conduct of the various Australasian Mail Services in the year 1873.

I have at the same time the honor to acknowledge the receipt of Mr. Herbert's letter of the 29th ultimo, enclosing, by your Lordship's direction, a copy of Mr. Law's letter of the 21st, intimating the intention of the Treasury to take this unexpected step, with a correspondence between the Postmasters General of the United Kingdom and the United States, appended thereto.

2. Your Lordship is no doubt aware of the circumstances under which the Treasury, in May 1873, arrived at the decision expressed in those words of the telegram which Mr. Lowe then requested Lord Kimberley to despatch to the Colonies:—"We have determined to carry mails to and from Galle, Singapore, and San Francisco and this Country free of charge." I need only glance at the circumstances which decided the Treasury to make this proposal. At that date the service to Australia *via* Galle was largely subsidized.

The claims of the San Francisco route to a subsidy had been often pressed upon the consideration of the Imperial Government, and with at least a fair prospect of success.

The Queensland Government already claimed a subsidy for the service it was starting by way of Torres Straits. The Lords Commissioners of Her Majesty's Treasury, after long consideration of these competing claims, arrived at a decisive resolution. They determined to stop subsidies all round, and instead to carry the mails—(I again repeat the words of the telegram)—"to and from Galle, Singapore, and San Francisco, and this Country free of charge." These words certainly seem sufficiently free from any element of ambiguity. They were understood at the time, by the various Colonial Governments concerned, in their obvious literal sense, as an undertaking on the part of the Imperial Government, in lieu of subsidizing steamboat services, to execute the postal service both by land and sea to certain points, one of which was San Francisco, absolutely free of charge. Upon the faith of this undertaking, the Colonial Governments adjusted their rates of postage, settled their respective contributions to the various lines of mail steamers thenceforth to be maintained entirely at their charge, and entered into contracts, sustained by heavy subsidies—in some cases extending beyond the five years' limit assigned to its share of contribution by the Imperial Government. The Government of New Zealand is now however, it appears, expected by my Lords so to construe the words "free of charge" as to admit that they reserve the right of quadrupling the rate of postage on one class of mail matter addressed to the Colony, and of charging a similar rate on its delivery here. I confess I cannot see it. I am sure that the words "free of charge" were not merely otherwise understood, but were otherwise intended at the time they were adopted. I think I shall be able to satisfy your Lordship on this point. I am sure that if it had been supposed that such a reservation as is expressed in the following passage of Mr. Law's letter—"It must be borne in mind that no stipulation was made on the part of the Imperial or Colonial Governments with regard to the rates of postage to be charged, and it is therefore open to either side to revise the rates at present in force,"—had been contemplated as by possibility underlying the very distinct and definite terms of Lord Kimberley's telegram,—the Colonies would have declined the proposal. They could not have seen their way to entering upon the costly and risky contracts which the Treasury imposed upon them if the rates of postage to be charged on their correspondence were not to be regarded as a fixed quantity for at least the five years during which the telegram said the arrangements then made were to last.

3. That the words "free of charge" were in particular intended to convey an undertaking of exemption from any liability for the land transit charge through the United States is, I submit with great respect, explicitly proved by the correspondence between the Treasury and Post Office which immediately preceded the final settlement of the terms of the telegram dispatched by Lord Kimberley. On the 14th of May, 1873, Mr. Stronge wrote to Mr. Monsell, informing him that it was the intention of my Lords "to propose to carry the mails to Galle, Singapore, and San Francisco free of charge"—that, "If a service is established by any one or more of the Australasian Colonies from Galle, they will be prepared to pay to each Colony contributing to such service the postage received on outward mail matter conveyed by such route to the Colony so contributing, less transit charges and inland British postage, provided that steamers touch each way at a port in Western Australia," and that "my Lords will also be prepared to make a similar payment in case of the establishment of a service from Singapore or from San Francisco, and to continue such arrangement for five years."

Mr. Monsell replied next day, and the terms of his reply show that all the conditions of the proposal had been carefully considered by him. After noting the fact that the arrangements were to last for five years, he proceeds naturally to the rate of postage. He views the effect of the whole scheme on the assumption that the then existing rate of postage was to be regarded as a fixed quantity in the calculations of the Post Office.

"Under the proposed system," he says, "each Colony will receive five-pence on each half-ounce letter conveyed to England *via* Galle or *via* Singapore, whether by the Southampton or by the Brindisi route." But, he continues—being under an impression, not unreasonable considering the somewhat vague terms of the letter from the Treasury, that the land transit charges through the United States would be dealt with in the same way as the similar charges in the mails sent *via* Brindisi—"But in the case of letters sent *via* San Francisco, the Colony will have to pay out of these sums the United States territorial transit charge for the conveyance from New York to San Francisco of a letter from this Country, and the United States territorial and sea transit rates on a letter sent to this Country."

"As regards newspapers, printed papers, and patterns sent to the Australasian Colonies, this office will retain that portion only which represents the British inland rate and any charge for transit, and will account to the Colonies for the rest of the postage collected, and the Colonies will account to this office for the transit postage collected on homeward newspapers, printed papers, and patterns sent *via* Brindisi

Brindisi for the United States land transit on all newspapers, printed papers, and patterns sent to the Colonies *via* San Francisco, and for the United States land and sea transit of all newspapers, printed papers, and patterns sent from the Colonies *via* San Francisco." The attention of the Treasury having been thus drawn to the two questions now under discussion, the rate of postage and the charge for land transit through the United States, I request your Lordship's particular attention to my Lord's reply. On the 2nd June Mr. Stronge writes to Mr. Monsell communicating to him a copy of the telegram which Lord Kimberley had been requested to send to the Colonies on the 15th May. He said—"You will perceive that, under the terms of this telegram, the proposal communicated to you in my letter of the 14th of May has been somewhat extended, and the offer made by their Lordships is that the mails from this Country to Australia and New Zealand shall be carried free of charge, other than foreign charge for land transit where the Brindisi route is used, not only to Galle and Singapore but also to San Francisco, and that the homeward mails shall in like manner be brought to this Country from each of those places without charge beyond that for land transit by the Brindisi route."

"On all outward correspondence, therefore, the Imperial Post Office shall account to the Colonial Post Office for all the postage collected, except that portion which represents the British inland rate, and in the case of the Brindisi route, the amount paid for foreign land transit, and on the homeward correspondence, the Colonial Post Office shall retain, all the postage collected, except that portion which represents the charge for land transit *via* Brindisi."

"Under this plan the Colonies will not be required to account for the United States sea rate on letters or newspapers, printed papers or patterns sent to this Country *via* San Francisco." I cannot, I confess, conceive how an arrangement so carefully considered and so explicitly worded can be treated as it is treated in the Treasury letter now addressed to your Lordship.

In conclusion, I have to state, with every respect, that I must regard the undertaking conveyed by Lord Kimberley's telegram, to carry our mails to San Francisco free of charge as constituting an agreement on the part of the Imperial Government, which it is bound to fulfil for the specified term of five years; and that I cannot see, either in the terms of that telegram or in the correspondence on the subject, any reservation of a right to the Imperial Government to alter or modify the terms of the agreement thus entered into, and to impose new and prohibitory rates of postage, without even a reference to the other Governments who were parties to the arrangements then made, and who have faithfully performed their share of the undertaking.

I do not think it necessary, under the circumstances, to discuss several points of considerable but secondary importance, which are referred to in the course of the correspondence.

I have, &c.,

J. E. FEATHERSTON,

Agent General for New Zealand.

No. 4.

THE AGENT GENERAL OF NEW SOUTH WALES TO THE COLONIAL SECRETARY OF NEW SOUTH WALES.
London, 3, Westminster Chambers,
Victoria-street, S.W., 4 May, 1876.

SIR,

With reference to my letter No. 4 of 10th February last, upon the subject of a proposed increase by the United States Government in the transit charges for conveying the mails across the American Continent, I have the honor to enclose copy of a letter from the Colonial Office, dated 28th April, 1876, covering copy of a despatch dated 28th ultimo,* which has been addressed by the Earl of Carnarvon to the Governors of New South Wales and New Zealand.

I have, &c.,

WILLIAM FORSTER.

* NOTE.—This despatch is that numbered 3 of these papers.

[Enclosure in No. 4.]

Colonial Office to The Agent General.

Downing-street, 28 April, 1876.

Sir,

With reference to your letter of the 28th of February, I am directed by the Earl of Carnarvon to transmit to you for your information a copy of a despatch which His Lordship has addressed to the Governors of New South Wales and New Zealand, after further communication with the Lords Commissioners of the Treasury, upon the subject of the course to be taken in consequence of the proposed increase by the United States Government of the charge on account of the transit of the mails for Australia and New Zealand across the North American Continent.

I am, &c.,

W. R. MALCOLM.

TRANSMIT copy of covering letter, at the same time calling attention of Government to date and subject of despatch.—W.F., 1/5/76.

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MAILS AT SAN FRANCISCO.

(DAY AND HOUR OF ARRIVAL AND DEPARTURE.)

Ordered by the Legislative Assembly to be printed, 6 June, 1876.

STATEMENT furnished by the Postmaster at San Francisco, showing the date and hour of arrival of Australian Mails for Great Britain, at San Francisco, and the time of forwarding to New York.

Date and time of Arrival.	Name of Steamer.	Date and time of Forwarding.
1874.		1874.
June 6, 9 p.m.	City of Melbourne	7:15 a.m., June 7.
July 9, 2:30 a.m.	Tartar	July 9.
Aug. 8, 7:20 p.m.	Macgregor	Aug. 9.
" 30, 7:45 a.m.	Mikado	" 31.
Sept. 26, 9:25 "	City of Melbourne	" Sept. 27.
Oct. 29, 10:50 "	Cyphrenes	" Oct. 30.
Nov. 27, 2:15 "	Macgregor	" Nov. 27.
Dec. 21, 2:10 "	Mikado	" Dec. 21.
1875.		1875.
Jan. 30, 9 p.m.	Cyphrenes	Jan. 31.
Feb. 14, 4 "	City of Melbourne	Feb. 15.
Mar. 20, 11:55 a.m.	Macgregor	Mar. 21.
April 11, 3:30 p.m.	Mikado	April 12.
May 13, 2:35 "	Cyphrenes	May 14.
June 7, 9 "	City of Melbourne	June 8.
July 12, 2:15 "	Macgregor	7:30 " July 13.
Aug. 2, 11:40 "	Mikado	" Aug. 3.
Sept. 3, 3:55 "	Cyphrenes	" Sept. 4.
" 26, 8:30 a.m.	City of Melbourne	" 27.
Oct. 27, 12:30 p.m.	Macgregor	" Oct. 28.
Nov. 21, 12:30 a.m.	Mikado	" Nov. 21.
Dec. 21, 6:40 "	Vasco de Gama	" Dec. 21.

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

ASSISTANT POSTMASTER AT TAMWORTH.

(APPOINTMENT OF MR. CHARLES CHANDLER.)

Ordered by the Legislative Assembly to be printed, 29 February, 1876.

MINUTE OF THE POSTMASTER GENERAL.

LET Charles Chandler be admitted into the Tamworth Post Office as a probationer.

J.F.B., 1/6/75.

MINUTE OF THE SECRETARY, GENERAL POST OFFICE.

INFORM postmaster, and instruct him to see that Mr. Chandler takes the usual declaration.

S.H.L., 1/6/75.

THE SECRETARY, GENERAL POST OFFICE, to MR. C. CHANDLER.

2 June, 1875.

CHARLES CHANDLER is informed that he is permitted to enter the post office at Tamworth as a probationer, and requested to report himself to the postmaster at that place.

S. H. LAMBTON,
Secretary.

THE SECRETARY, GENERAL POST OFFICE, to THE POSTMASTER, TAMWORTH.

2 June, 1875.

THE Postmaster General has approved of Mr. Charles Chandler entering the post office at Tamworth as a probationer.

You will not fail to see that Mr. Chandler takes the necessary declaration as your assistant. (Form herewith.)

S. H. LAMBTON,
Secretary.

MR. C. CHANDLER to THE POSTMASTER GENERAL.

Tamworth, 12 July, 1875.

SIR,

Having complied with the instructions given me in the letter quoted, I beg most respectfully to apply that I might be permanently employed as assistant at the Tamworth Post Office. Having a wife and two children to support, it is necessary for me to receive some compensation for my services. I have now been employed since the 5th ultimo as probationer without remuneration.

I have, &c.,
CHARLES CHANDLER.

H. BENNETT, Esq., M.L.A., to THE POSTMASTER GENERAL.

Tamworth, 22 August, 1875.

SIR,

The assistant postmaster here has called my attention to the fact that he has been doing duty since the 3rd of June ultimo, and has received no salary as yet.

Yours, &c.,
HANLEY BENNETT.

Referred to Superintendent of Telegraphs. The probationer in the Telegraph Office is doubtless referred to by Mr. Bennett.—S.H.L., B.C., 26/8/75.

This I presume relates to Charles Chandler, who the post and telegraph master was instructed by the Post Office to take on as a probationer on the 5th of June last.—P.B.W., *pro* Supt., 28/8/75. B.C., the Secretary, Genl. Post Office.

What about the complaint as to his not having been paid?—S.H.L., B.C., 31/8/75.

We have no authority to pay his salary.—P.B.W., *pro* Supt., 1/9/75. B.C., the Secretary, General Post Office.

H. BENNETT, Esq., M.L.A., to THE POSTMASTER GENERAL.

Tamworth, 20 September, 1875.

SIR,

At your earliest opportunity be good enough to give me some explanation why the assistant postmaster, Tamworth, has not ere this received his appointment and salary for services performed, as it is now three months and fifteen days since this gentleman was called upon officially to enter the post office as a probationer, and up to this date has not received any remuneration.

Yours, &c.,
HANLEY BENNETT.

Submitted.—S.H.L., 22/9/75. Acknowledge receipt.—J.F.B., 22/9/75.

THE SECRETARY, GENERAL POST OFFICE, to H. BENNETT, Esq., M.L.A.

General Post Office,
Sydney, 24 September, 1876.

SIR,

I am directed to acknowledge the receipt of your letter, dated the 20th instant, on the subject of the appointment and salary of the assistant postmaster at Tamworth.

I have, &c.,
S. H. LAMBTON,
Secretary.

MR. C. CHANDLER to THE POSTMASTER GENERAL.

Tamworth, 8 September, 1875.

SIR,

It is now three months since I commenced as probationer in the post office, Tamworth, and during that time have endeavoured to render the assistance required in receiving and dispatching mails, and all other business connected with the post office.

I therefore humbly beg that you will consider the facts herein stated, as, having a family dependent on my support, I feel compelled to seek your attention in granting my appointment as assistant postmaster at Tamworth.

I am, &c.,
CHARLES CHANDLER.

Charles Chandler can be allowed a salary at the rate of £52 per year from the date when he first entered upon his duties as postal assistant.—J.F.B., 22/9/75.

THE SECRETARY, GENERAL POST OFFICE, to MR. CHANDLER.

General Post Office,
22 September, 1875.

It has been decided to allow you a salary at the rate of fifty-two pounds (£52) per annum from the date when you first entered upon your duties as postal assistant at Tamworth.

You will submit the names of two persons willing to join you as sureties in the necessary bond to the extent of £100, viz., yourself in £50 and your sureties in £25 each.

S. H. LAMBTON.

THE SECRETARY, GENERAL POST OFFICE, to THE POSTMASTER, TAMWORTH.

General Post Office,
Sydney, 22 September, 1875.

It having been decided to allow Charles Chandler a salary at the rate of £52 per annum from the time he first entered upon his duties as postal assistant at Tamworth, you will be good enough to give the date when he commenced duty.

S. H. LAMBTON.

Commenced duty on Saturday, 5th June, 1875.—T.S.B., Postmaster.

THE SECRETARY, GENERAL POST OFFICE, to H. BENNETT, Esq., M.L.A.
General Post Office,

Sydney, 22 September, 1875.

SIR,

Referring to your letter dated 22nd August last, I am directed to inform you that Charles Chandler, probationer in the post office at Tamworth, has been allowed a salary at the rate of £52 per annum, from the date when he first entered upon his duties at that place.

I have, &c.,
S. H. LAMBTON.

MR. C. CHANDLER to THE CHIEF CLERK, GENERAL POST OFFICE.

Tamworth, 24 September, 1875.

ACCEPTING yours of the 22nd Sept. as my appointment, I beg to submit Mr. R. Dwyer, freeholder, and H. Bennett, M.L.A., leaseholder, as my sureties. I would feel thankful could you forward the amount due at as early a date as possible; having a family to keep, and not receiving any salary for such a long time, it would afford me considerable relief.

I remain, &c.,
C. CHANDLER,
Postal Assistant, Tamworth.

MR. C. CHANDLER to THE POSTMASTER GENERAL.

Tamworth, 30 October, 1875.

SIR,

The amount allowed as annual salary for the duties I have fulfilled here not being sufficient to maintain myself and family, I most respectfully beg to tender my resignation.

I am, &c.,
CHARLES CHANDLER,
Assistant Postmaster, Tamworth.

Submitted.—S.H.L., 2/11/75.

Accept Mr. Chandler's resignation.—J.F.B., 3/11/75.

THE SECRETARY, GENERAL POST OFFICE, to THE POSTMASTER, TAMWORTH.
General Post Office,

Sydney, 4 November, 1875.

THE resignation of Mr. Charles Chandler as assistant postmaster at Tamworth has been accepted. Be good enough to state date of his ceasing to perform his duties.

S. H. LAMBTON,
Secretary.

Fifth (5th) Nov., 1875.—J.S.B., Postmaster.

THE SECRETARY, GENERAL POST OFFICE, to MR. C. CHANDLER.
General Post Office,

Sydney, 4 November, 1875.

Mr. Charles Chandler is informed that his resignation of the office of assistant to the postmaster at Tamworth has been accepted.

S. H. LAMBTON,
Secretary.

[3d.]

1875-6.

NEW SOUTH WALES.

HOSPITAL FOR THE INSANE, GLADESVILLE.

(REPORT FOR 1875.)

Presented to Parliament by Command.

THE MEDICAL SUPERINTENDENT OF THE HOSPITAL FOR THE INSANE, GLADESVILLE, to THE COLONIAL SECRETARY.

Lunacy Department,
Hospital for the Insane, Gladesville,
19 July, 1876.

SIR,

I have the honor to submit for your information a Report upon the Hospital under my superintendence, for the year 1875, with an Appendix containing the usual statistical returns.

On December 31st, 1874, the number of patients in hospital was 551, of whom 304 were males and 247 females.

During the year 203 males and 134 females, making a total of 337, have been admitted; of these 292 were admitted for the first time, and 45 had at some previous period been in hospital.

The total number under care was 888—507 males and 381 females, and the daily average number resident was 591.

The number discharged during the year was 199, of whom 97 had recovered, 12 were relieved, and 90 were "not improved."

The deaths numbered 47,—37 males and 10 females, and with the discharges make up a total of 246.

On December 31st, 1875, the number of patients in hospital was 363 males and 279 females—a total of 642. These statistics are given in a tabular form in the Appendix, Table I.

The number of admissions is greater than during any previous year in the history of the institution; and though a large part of the increase in the number is no doubt due to increase in the population of the Colony, the following table will show that the ratio of admissions to the population is slowly increasing:—

TABLE showing the ratio of admissions to the population of the Colony, from 1863 to 1875.

Year.	Admissions.	Population.	Proportion to Population.
1863.	187	378,934	1 in 2,026
1864	199	392,589	1 in 1,973
1865	182	411,388	1 in 2,260
1866	196	431,412	1 in 2,201
1867	181	447,620	1 in 2,473
1868	223	466,765	1 in 2,093
1869	218	485,356	1 in 2,226
1870	197	502,861	1 in 2,553
1871	277	519,182	1 in 1,874
1872	268	539,190	1 in 2,012
1873	296	560,275	1 in 1,893
1874	312	584,278	1 in 1,873
1875	337	606,652	1 in 1,800

It may be interesting to note that the proportion of admissions to population in England in 1874 (the latest report received) was 1 in 1,809. (This number, however, includes the admissions to the asylums only, and not those to the workhouses, of which I can find no record, which would make the proportion somewhat higher.) The proportion of admissions to population in Victoria during the same year (1874) was 1 in 1,352.

The readmissions during the year were fewer than usual, and of the total number 36 only were relapsed cases, and of these 6 were due to puerperal causes. Of the remaining cases 7 had been discharged to the care of friends, whilst still insane, and owing to various causes were returned to hospital; 1 was a retransfer from one of the other institutions for the insane, and 1 had previously escaped. The average length of absence from the hospital in the relapsed cases was 3 years and 4 months, the longest period being 13 years, and the shortest 3 weeks.

Of the total number of admissions, 235 came through the Reception House, but only 136 of these were from the Metropolitan District. The remainder had only passed through the Reception House and stayed one or more nights on their way from the country districts.

Reference to the Appendix Table XI will show that the number of native born among the admissions is slowly increasing, but that the majority is still drawn from the United Kingdom.

The recoveries during the year have been 97, a percentage on the admissions of 28·78 only. This percentage, which is the smallest since I have been in charge of the Hospital (being even less than that for 1874), is far from satisfactory, and goes to confirm the statement made in my last annual Report that "the percentage of recoveries has been lower or higher in proportion as the Hospital has been more or less overcrowded." The Hospital during the year 1875 was even more overcrowded than during the preceding year.

The daily average number of patients rose from 581 to 591; and there were 91 more in hospital on December 31st, 1875, than on the same date of the preceding year.

Of the 90 patients discharged "not improved," 42 were sent to the Lunatic Asylum, Parramatta, 38 to the Asylum for Imbeciles, &c., at Newcastle, and 10 to the Licensed House at Cook's River. The patients transferred to Parramatta were for the most part in a condition of chronic and incurable insanity, and those sent to Newcastle were with few exceptions children of more or less weak intellect.

The deaths during the year were at the rate of 7·95 on the average number resident. The causes of death are set forth in Table V.

The following return shows the total number of persons under official cognizance on December 31st, 1875, and their distribution, together with the increase in number during the year:—

	M.	F.	Total.
In Hospital for the Insane, Gladesville	363	279	642
Lunatic Asylum, Parramatta... {	494	206	700
Free	23	7	30*
Convict	37	3	40†
Criminal	121	53	174
Asylum for Imbeciles, Newcastle	7	104	111‡
Licensed House for Lunatics, Cook's River			
Total	1,045	652	1,697
Total number on December 31st, 1874	979	609	1,588
Increase during 1875	66	43	109

The following table, showing the number of insane in this Colony, and the proportion to population in each year since 1863, and further, the proportion in England and in the neighbouring Colony of Victoria, is interesting as showing that, although the number of insane in New South Wales has very largely increased, the proportion to population has not greatly risen, and is less than in Victoria, and only very slightly more than in the United Kingdom:—

Year.	Population of New South Wales.	Total number of Insane in New South Wales on 31 Dec.	Proportion of Insane to Population in New South Wales.	Proportion of Insane to Population in Victoria.	Proportion of Insane to Population in England.
1863	378,934	931	1 in 407	1 in 670	1 in 464
1864	392,589	984	1 in 399	1 in 604	1 in 457
1865	411,388	1,037	1 in 396	1 in 595	1 in 445
1866	431,412	1,114	1 in 387	1 in 541	1 in 436
1867	447,620	1,155	1 in 387	1 in 515	1 in 424
1868	466,765	1,230	1 in 379	1 in 439	1 in 411
1869	485,356	1,226	1 in 395	1 in 416	1 in 403
1870	502,861	1,289	1 in 389	1 in 392	1 in 400
1871	519,182	1,387	1 in 374	1 in 369	1 in 394
1872	539,190	1,440	1 in 374	1 in 340	1 in 387
1873	560,275	1,526	1 in 367	1 in 337	1 in 381
1874	584,278	1,588	1 in 367	1 in 329	1 in 375
1875		1,697	1 in 357		

The proportion of insane to population in Ireland on December 31st, 1874, was 1 in 297, the proportion in Scotland 1 to 427, and the proportion for the three kingdoms was 1 in 368, at the same date.

As in former years, I have to thankfully acknowledge a kind interest taken in the welfare of the patients, and assistance towards their amusement.

The

* British convicts still at the charge of the Imperial Treasury.

† Confined under Criminal Lunacy Act, 24 Vic. No. 19, N.S.W.

‡ 100 of these are Government patients maintained at the public expense.

The proprietors of the following newspapers—*Burrangong Argus*, *Burrangong Chronicle*, *Bathurst Free Press*, *Bathurst Times*, *Clarence and Richmond Examiner*, *Deniliquin Chronicle*, *Dubbo Dispatch*, *Goulburn Herald and Chronicle*, *Grafton Observer*, *Illawarra Mercury*, *Kiama Independent*, *Maitland Mercury*, *Monaro Mercury*, *Newcastle Chronicle*, *Newcastle Pilot*, *Queanbeyan Age*, *Riverine Grazier*, *Social Reformer*, *Southern Argus*, *Shoalhaven News*, *Wagga Express*, *Wagga Advertiser*, *Western Examiner*, *Western Post*, and *Yass Courier*—have forwarded a copy of each issue throughout the year, free of all charge.

I have received the following special donations:—The Rev. A. P., £20; Miss W., £5; Mr. C. Wilson, £2 and several parcels of illustrated and other papers; the Rev. Father Joly, a calf; Miss E. Manning, two swans; Mr. F. Weston, three wood ducks; Mr. Wrench, an eagle; Capt. Brett, two sea gulls; Mrs. Darvall, several loads of fruit; Dr. Brereton, twelve cases of grapes and plants; Capt. Truscott, cocoa-nuts (several sacks); Mr. T. Salter, several large cases of oranges, and books and bundles of illustrated papers; Dr. McKay and C. J. Manning, Esq., vine-cuttings; Sir E. Deas-Thomson, plants and cuttings; Union Club, illustrated and other papers (monthly); Ernest O. Smith, Esq., illustrated and other papers (monthly); Australian Club, illustrated papers, magazines, &c. (several packages); Mr. Justice Hargrave, illustrated papers (several parcels); Mr. Alfred Roberts, illustrated papers, &c.; Miss Lawson, illustrated papers, &c.; Dr. Quaipe, illustrated papers, &c.; Mr. E. Bedford, *Saturday Review* (several vols.); Mr. Gibson, illustrated papers; Mr. T. Small, magazines, &c.; from the General Post Office, a very large number of unclaimed newspapers, magazines, &c., have been forwarded by Mr. Buchanan, and numerous donations of newspapers and magazines have been made anonymously.

The charge of the Hospital during my absence from duty, which extended from February 21st to November 11th, devolved upon my colleague (Mr. T. Morgan Joseph). I have already expressed to you the high sense I entertain of the value of his services. To Mr. Betts I am indebted, for the most constant, cordial, and efficient assistance; and of the officers and staff under my direction I have to report in the highest terms.

I have the honor to be,

Sir,

Your most obedient servant,

F. NORTON MANNING,
Medical Superintendent.

APPENDIX.

TABLE I.—Showing the admissions, discharges, and deaths, during the year 1875.

	Male.	Female.	Total.																
In the hospital on 31st December, 1874.....	304	247	551																
	<table border="1"> <thead> <tr> <th></th> <th>Male.</th> <th>Female.</th> <th>Total.</th> </tr> </thead> <tbody> <tr> <td>Admitted for the first time during the year</td> <td>178</td> <td>114</td> <td>292</td> </tr> <tr> <td>Re-admitted during the year.....</td> <td>25</td> <td>20</td> <td>45</td> </tr> <tr> <td>Total under care during the year.....</td> <td>203</td> <td>134</td> <td>337</td> </tr> </tbody> </table>				Male.	Female.	Total.	Admitted for the first time during the year	178	114	292	Re-admitted during the year.....	25	20	45	Total under care during the year.....	203	134	337
	Male.	Female.	Total.																
Admitted for the first time during the year	178	114	292																
Re-admitted during the year.....	25	20	45																
Total under care during the year.....	203	134	337																
Discharged or removed—																			
Recovered	44	53	97																
Relieved	7	5	12																
Not improved	56	34	90																
Died	37	10	47																
Total discharged and died during the year.....	144	102	246																
Remaining in hospital, 31st December, 1875	363	279	642																
Average numbers resident during the year.....	327	264	591																

TABLE II.—Showing the admissions, re-admissions, and discharges, from the 1st of January, 1869, to the 31st December, 1875.

	Male.	Female.	Total.																												
Admitted during the period of seven years	1,012	563	1,575																												
Re-admissions	176	154	330																												
Total admissions.....	1,188	717	1,905																												
	<table border="1"> <thead> <tr> <th></th> <th>Male.</th> <th>Female.</th> <th>Total.</th> </tr> </thead> <tbody> <tr> <td>Discharged or removed—</td> <td></td> <td></td> <td></td> </tr> <tr> <td> Recovered</td> <td>379</td> <td>286</td> <td>665</td> </tr> <tr> <td> Relieved</td> <td>72</td> <td>51</td> <td>123</td> </tr> <tr> <td> Not improved.....</td> <td>571</td> <td>274</td> <td>845</td> </tr> <tr> <td>Died</td> <td>231</td> <td>63</td> <td>294</td> </tr> <tr> <td>Total discharged and died during the seven years.....</td> <td>1,253</td> <td>674</td> <td>1,927</td> </tr> </tbody> </table>				Male.	Female.	Total.	Discharged or removed—				Recovered	379	286	665	Relieved	72	51	123	Not improved.....	571	274	845	Died	231	63	294	Total discharged and died during the seven years.....	1,253	674	1,927
	Male.	Female.	Total.																												
Discharged or removed—																															
Recovered	379	286	665																												
Relieved	72	51	123																												
Not improved.....	571	274	845																												
Died	231	63	294																												
Total discharged and died during the seven years.....	1,253	674	1,927																												
Remaining, 31st December, 1875	368	279	642																												
Average numbers resident during the seven years.....	292	256	548																												

Table No. 2 was framed by the Psychological Association to show the movement of patients for the entire period the Asylum has been in operation. The records of this institution extend over thirty-five years, but are not sufficiently perfect to afford the information in question.

TABLE III.—Showing the admissions, discharges, and deaths, with the mean annual mortality and proportions of recoveries per cent., since the 1st January, 1869.

Year.	Admitted.			Discharged.									Died:			Remaining on 31st Dec. in each year.			Average number resident.			Percentage of recoveries on admissions.			Percentage of deaths on average numbers resident.								
				Recovered.			Relieved.			Not Improved.																							
	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.						
1869	143	75	218	56	32	88	20	9	29	13	40	53	53	7	60	429	223	652	435	215	650	39	16	42	66	40	36	12	18	3	25	9	23
1870	131	66	197	41	35	76	7	3	10	233	1	234	25	4	29	254	246	500	262	231	493	31	29	53	38	37	9	54	1	73	5	88	
1871	172	105	277	53	40	93	6	7	13	111	40	151	27	8	35	229	256	485	265	248	513	30	80	38	01	33	57	10	18	3	22	6	82
1872	164	104	268	70	49	119	11	4	15	68	39	107	29	9	38	215	259	474	231	256	487	42	68	47	11	44	44	12	55	3	51	7	80
1873	189	107	296	64	36	100	12	10	22	41	16	57	20	10	30	267	294	561	246	279	525	33	86	33	64	33	78	8	13	3	59	5	71
1874	186	126	312	51	41	92	9	13	22	49	104	153	40	15	55	304	247	551	280	301	581	27	44	32	53	29	48	14	28	4	98	9	46
1875	203	134	337	44	53	97	7	5	12	56	34	90	37	10	47	363	279	642	327	264	591	21	67	39	55	28	78	11	31	3	78	7	95

TABLE VI.—Showing the length of residence in those discharged recovered and in those who have died during the year 1875.

Length of Residence.	Recovered.			Died.		
	Male.	Female.	Total.	Male.	Female.	Total.
Under 1 month		1	1	5		5
From 1 to 3 months	14	7	21	2	2	4
" 3 to 6 "	17	18	35	7		7
" 6 to 9 "	4	9	13	3		3
" 9 to 12 "	3	5	8	1	2	3
" 1 to 2 years	5	9	14	8	2	10
" 2 to 3 "		4	4	7	1	8
" 3 to 5 "	1		1	4		4
" 5 to 7 "						
" 7 to 10 "						
" 10 to 12 "					1	1
" 15 to 20 "					2	2
Totals.....	44	53	97	37	10	47

TABLE VII.—Showing the duration of the disorder on admission, in the admissions, discharges, and deaths, during the year 1875.

Class.	Duration of disease on admission, in four classes.											
	Admissions.			Recovered.			Removed, relieved, or otherwise.			Died.		
	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.
First Class— First attack, and within three months on admission.....	40	39	79	15	18	33	9	8	17	9	3	12
Second Class— First attack, above three and within twelve months on admission	16	17	33	3	6	9	6	4	10	5	1	6
Third Class— Not first attack, and within twelve months on admission.....	20	20	40	6	15	21	2	3	5	5	2	7
Fourth Class— First attack or not, but of more than twelve months on admission	55	23	78	4	1	5	29	7	36	7	1	8
Fifth Class— Not ascertained	72	35	107	16	13	29	17	17	34	11	3	14
Totals.....	203	134	337	44	53	97	63	39	102	37	10	47

TABLE VIII.—Showing the ages of the admissions, discharges, and deaths during the year 1875.

Ages.	Admissions.			Discharges.						Deaths.		
				Recovered.			Removed, relieved, or otherwise.					
	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.
From 5 to 10 years	3		3				3		3			
" 10 to 15 "	3	3	6		2	2	2	3	5		1	1
" 15 to 20 "	10	9	19	1	5	6	7	1	8		1	1
" 20 to 30 "	44	40	84	10	18	28	15	10	25	4	1	5
" 30 to 40 "	63	31	94	20	14	34	22	13	35	10	4	14
" 40 to 50 "	46	24	70	6	5	11	5	12	17	12		12
" 50 to 60 "	15	19	34	6	9	15	6	6	12	6	2	8
" 60 to 70 "	14	6	20				2		2	1	1	2
" 70 to 80 "	4	1	5	1		1	1		1	4		4
" 80 and upwards	1	1	2									
Totals.....	203	134	337	44	53	97	63	39	102	37	10	47

TABLE IX.—Conditions as to marriage, in the admissions, discharges, and deaths, during the year 1875.

Conditions in reference to marriage.	Admissions.			Discharges.						Died.		
				Recovered.			Removed, relieved or otherwise.					
	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.
Single	129	41	170	22	14	36	52	12	64	15	6	21
Married	66	80	146	19	35	54	8	23	31	21	2	23
Widowed	7	13	20	3	4	7	3	4	7	...	2	2
Unascertained	1	...	1	...	...	...	...	...	...	1	...	1
Totals	203	134	337	44	53	97	63	39	102	37	10	47

TABLE X.—Showing the probable causes, apparent or assigned, of the disorder, in the admissions, discharges, and deaths, for the year 1875.

Causes.	Admissions.			Discharges.						Deaths.		
				Recovered.			Removed, relieved, or otherwise.					
	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.
Moral—												
E.G. Mental anxiety*	11	11	22	5	6	11	...	...	...	4	...	4
Domestic troubles	3	4	7	2	3	5	...	2	2	2	...	2
Religious excitement	...	3	3	...	2	2	1	...	1	...	...	...
Disappointment in love	1	2	3	...	1	1	...	1	1	...	1	1
Isolation	1	2	3	...	...	...	2	1	3	...	...	...
Loss of children	...	1	1	...	1	1	...	...	...	...	...	...
Nostalgia	...	...	...	...	...	...	...	...	...	...	...	...
Fright	...	...	...	...	...	...	...	1	1	...	...	...
Physical—												
E.G. Hereditary taint†	4	3	7	2	3	5	1	1	2	1	...	1
Congenital	7	5	12	...	...	...	6	3	9	1	...	1
Intemperance	28	10	38	10	...	10	6	1	7	3	...	3
Onanism	3	...	3	...	...	...	1	...	1	...	...	...
Sunstroke	18	6	24	3	1	4	2	2	4	6	1	7
Injury to head	5	2	7	...	...	...	5	1	6	3	...	3
Puerperal‡	...	13	13	...	13	13	...	2	2	...	...	...
Climacterics	...	2	2	...	...	...	...	...	...	...	...	...
Phthisis	...	...	...	...	...	...	...	...	...	...	...	...
Epilepsy	13	7	20	1	...	1	8	3	11	2	2	4
Cancer and other diseases of the brain	6	...	6	...	...	...	...	...	...	2	1	3
Fever, ill-health, and destitution	6	15	21	3	8	11	...	4	4	...	1	1
Syphilis	...	...	...	...	...	...	...	...	...	...	...	...
Excess of opium	1	...	1	1	...	1	1	...	1	...	...	...
Old age	6	2	8	...	...	...	2	...	2	2	...	2
Unascertained	90	46	136	17	15	32	28	17	45	11	4	15
Totals	203	134	337	44	53	97	63	39	102	37	10	47

* Including mental excitement in speculation, &c.

† Given as a separate cause only in cases where the immediate cause was not known.

‡ Including over-lactation, &c.

The difficulties still experienced in obtaining trustworthy information concerning patients on their admission have prevented any increase in the number of the statistical tables having a social or domestic interest.

The three following—XI, XII, XIII—are a continuation of those in the Report for the year 1873.

TABLE XI.—Showing the natiivities of patients remaining on the 31st of December, 1868, and admitted since that date.

Year.	British Colonies.						Great Britain.									France.			Germany.			China.			Other Countries.		
	New South Wales.			Other Colonies.			England.			Scotland.			Ireland.														
	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.
Remaining in hospital, 31 Dec., 1868.	45	22	67	12	1	13	150	66	225	35	12	47	126	182	258	3	1	4	13	2	15	18	...	18	17	...	17
Admitted during 1869	23	17	40	5	4	9	58	25	83	12	4	16	33	24	57	...	1	1	4	...	4	3	...	3	5	...	5
Do. 1870	16	18	34	6	1	7	54	14	68	10	7	17	30	26	56	1	...	1	7	...	7	4	...	4	3	...	3
Do. 1871	34	26	60	1	4	5	59	36	95	9	1	10	49	38	87	2	...	2	7	...	7	4	...	4	7	...	7
Do. 1872	27	23	50	2	...	2	70	33	103	13	6	19	40	41	81	1	...	1	5	...	5	2	...	2	4	1	6
Do. 1873	52	35	87	4	...	4	62	27	90	8	9	17	39	35	74	...	...	...	9	...	9	6	...	6	8	1	9
Do. 1874	36	40	76	3	2	5	70	28	98	10	6	16	45	49	94	1	...	1	4	1	5	7	...	7	10	...	10
Do. 1875	49	43	92	8	4	12	65	34	99	10	7	17	48	40	88	...	1	1	4	3	7	6	...	6	13	2	15
Totals	282	224	506	41	16	57	598	263	861	107	52	159	410	385	795	8	3	11	53	6	69	50	...	50	67	4	71

TABLE XII.—Showing the previous occupation of those admitted during the year 1875.

Males.		Females.	
Blacksmiths	2	Domestic servants.....	35
Bootmakers	4	Dressmakers and needlewomen	1
Bricklayers	2	Governess	1
Builder	1	Wife of bank manager.....	1
Butcher	1	Wife of builder.....	1
Carpenters, joiners, &c.	4	Wife of civil servant	1
Cabinet-makers	2	Wife of clerk.....	1
Carters	3	Wife of commercial traveller	1
Civil engineer	1	Wife of constable.....	1
Clerks.....	4	Wife of publican	1
Commission agent.....	1	Wives of dealers	4
Commanders R.N.	2	Wives of gardeners	2
Contractor	1	Wives and daughters of farmers	12
Cooks and bakers	4	Wives and daughters of labourers, shepherds, &c.	18
Coopers	2	Wives of miners (coal, gold, &c.)	2
Coppersmiths.....	2	Wives of seamen	7
Dealers and hawkers	3	Wives and daughters of tradesmen, mechanics, &c.	25
Drapers	3	Widows (not employed)	3
Engine-drivers	2	No occupation	14
Farmers and free selectors	7	Not ascertained.....	3
Gardeners	4		
Grocer	1		
Labourers	55		
Messenger	1		
Miners (coal, gold, &c.)	16		
Musician	1		
Painters	3		
Printers	4		
Publicans	3		
Railway porter	1		
Roman Catholic clergyman.....	1		
Sawyer	1		
Seamen and boatmen	13		
Servants and grooms	2		
Schoolmasters	2		
Shepherds and stockmen	15		
Soldiers and pensioners	1		
Solicitor.....	1		
Steward	1		
Stonemason	1		
Storekeeper	1		
Tailors	2		
Weavers.....	2		
Whitesmiths	3		
Wool-stapler	1		
No occupation	15		
Not ascertained.....	1		
Total	203	Total	134

TABLE XIII.—Showing the religious profession of those admitted during the year 1875.

Religious profession.	Males.	Females.	Total.
Protestant—			
Church of England	87	54	141
Presbyterian	15	8	23
Wesleyan	5	4	9
Lutheran	2	2	4
Other Protestant Denominations	6	11	17
Roman Catholic	74	49	123
Pagan	8	...	8
Hebrew.....	...	1	1
Mahomedan	1	...	1
Unascertained	5	5	10
Total.....	203	134	337

RETURN showing the number of Patients received at the Lunatic Reception House during the year 1875, and their disposal.

Whence received.	Received.			Sent to Gladesville Hospital.		Sent to Parramatta Asylum.		Discharged, of sound mind, by order of His Excellency the Governor.		Discharged to the care of friends.		Died.		Remaining on the 31st December, 1875.	
	Male.	Female.	Total.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.
Sydney	113	81	194	73	63	...	.....	20	6	13	7	3	.....	4	5
Goulburn	10	2	12	10	2	...	.....	20	.....	.....	.....	.....	.....	.....	.....
Maitland	20	8	28	20	8	...	.....	.....	.....	.....	.....	.....	.....	.....	.....
Newcastle	10	4	14	9	4	...	.....	1	.....	.....	.....	.....	.....	.....	.....
Mudgee	9	2	11	9	2	...	.....	.....	.....	.....	.....	.....	.....	.....	.....
Parramatta	8	2	10	8	1	...	.....	.....	.....	.....	.....	.....	.....	.....	.....
Armidale	1	1	2	1	1	...	.....	.....	.....	.....	.....	.....	.....	.....	.....
Kiama	2	1	3	2	1	...	.....	.....	.....	.....	.....	.....	.....	.....	.....
Braidwood	1	.....	1	1	.....	...	.....	.....	.....	.....	.....	.....	.....	.....	.....
Ryde	1	.....	1	1	.....	...	.....	.....	.....	.....	.....	.....	.....	.....	.....
Parkes	2	.....	2	2	.....	...	.....	.....	.....	.....	.....	.....	.....	.....	.....
Windsor .....	.....	1	1	.....	1	...	.....	.....	.....	.....	.....	.....	.....	.....	.....
Gulgong	1	1	2	1	1	...	.....	.....	.....	.....	.....	.....	.....	.....	.....
Wagga Wagga	4	.....	4	4	.....	...	.....	.....	.....	.....	.....	.....	.....	.....	.....
Cooma	1	.....	1	1	.....	...	.....	.....	.....	.....	.....	.....	.....	.....	.....
Yass	3	.....	3	3	.....	...	.....	.....	.....	.....	.....	.....	.....	.....	.....
Grafton	1	1	2	1	1	...	.....	.....	.....	.....	.....	.....	.....	.....	.....
Albury	1	1	2	1	1	...	.....	.....	.....	.....	.....	.....	.....	.....	.....
Araluen	1	.....	1	1	.....	...	.....	.....	.....	.....	.....	.....	.....	.....	.....
Muswellbrook .....	.....	1	1	.....	1	...	.....	.....	.....	.....	.....	.....	.....	.....	.....
Totals.....	189	106	295	148	87	...	.....	21	6	13	7	3	.....	4	6

RETURN of Produce from the Garden of the Hospital for the Insane, Gladesville, during the year 1875.

Description of Produce.	Total.	Description of Produce.	Total.
Asparagus.....	85 lbs.	Potatoes	2,429 lbs.
Beans (French)	680 "	Radishes, beet, and artichokes	874 "
Cabbage	28,638 "	Turnips.....	1,272 "
Carrots	6,273 "	Marrows	228 "
Cauliflower	570 "	Watercress	158 "
Cucumbers	653 "	Fruit—	
Herbs	889 "	Oranges and Lemons	1,336 doz.
Lettuces	998 "	Peaches, Grapes, &c.	5,667 lbs.
Leeks.....	4,683 "	Melons	200
Onions	1,982 "	Eggs	728 doz.
Pumpkins.....	4,440 "	Fowls.....	63
Pease.....	749 "		

1875.

NEW SOUTH WALES.

HOSPITAL FOR INSANE, GLADESVILLE.

(REPORT OF PROCEEDINGS DURING VISIT OF INSPECTOR TO EUROPE.)

Presented to Parliament by Command.

THE INSPECTOR, HOSPITAL FOR INSANE, GLADESVILLE, to THE COLONIAL SECRETARY.

Lunacy Department,
Hospital for the Insane,

Gladesville, 12 November, 1875.

SIR,

I do myself the honor to report to you that I have returned to the Colony, and have this day resumed the duties of my office.

On my voyage to England, I took the opportunity of visiting the beautiful new Asylums at Kew near Melbourne, and Parkside near Adelaide, in the neighbouring Colonies, and making the personal acquaintance of the Medical Superintendents of those institutions.

In Italy I visited the Asylums at Rome, Florence, and Reggio. The Asylum at Rome is situated near the Vatican, and has until lately been under the immediate charge of the Papal authorities. It is known throughout Europe for the excellence of some of its arrangements, and to the division for paying patients (which is admirably conducted); the insane from among the wealthier classes are sent from all parts of Italy. The Asylum at Reggio, which I undertook a long journey specially to visit, is under the charge of Professor Liri, of the University of Modena, and is the best public Asylum in the Kingdom.

In France I was enabled, through the courtesy of the municipal officers, to thoroughly inspect the fine new Asylum of Saint Ann, with its attached Receiving-house, to which the whole of the insane from Paris and the Department of the Seine are sent in the earlier stages of their malady. From Paris I went to Clermont sur l'Oise, to see the celebrated Asylum with its Agricultural Colonies, managed by the Messieurs Labitte. In this large institution the insane of three Departments are maintained, and no less than 1,500 acres of land are under cultivation by means of the labour of the inmates, whilst the cattle and sheep and pigs are well known as taking frequent prizes at all the Agricultural Shows in the North of France.

In England I enjoyed the opportunity of consulting the English Commissioners in Lunacy on various points affecting Asylum management. I spent several days as a guest of the Superintendents at the large Asylums for the Southern Division of Lancaster and the West Riding of Yorkshire, and was able to see every detail of their daily routine and management. I visited the new County Asylums at Northampton, Wadeley near Sheffield, and Whittingham near Preston. The Asylum for Imbeciles under the Metropolitan Asylum Board at Caterham, the Asylum for Idiots at Clapton, and the well known Asylums of Bethlem and Hanwell, near London.

An introduction from the Agent General of the Colony in London opened to me the wards set apart for criminals supposed to be insane and undergoing a probationary term of observation at Milbank, and a long conversation with the medical officer in charge placed me in possession of very valuable information on this subject.

I was able to attend the session of the Medico-Psychological Association, held at Dublin, where I made the personal acquaintance of a number of professional men from all parts of great Britain engaged in the management of Asylums and the study of mental and nervous diseases; and, whilst in Ireland, I visited the largest of the Irish District Asylums at Richmond, near Dublin, as well as the Criminal Asylum at Dundrum, which holds a high place in public opinion, owing to the efficiency and economy of its management.

On my outward journey I was able to visit the Asylum at Stockton, California, in which 1,500 patients are now under treatment, and to see the magnificent Asylum at Napa, which the State of California has (after sending a special Commissioner to examine the Asylums of the Eastern States of the Union, Great Britain, and the Continent) recently erected with a munificent liberality. Of this Asylum, as well as of those of the new Lancashire Asylum at Whittingham, and the new Kent Asylum at Chart-ham, I was able, through the kindness of the architects, to procure complete plans, which I have brought with me to the Colony. I have also been able to procure a number of reports and other papers which will be of great service.

As

As a Director of the Prince Alfred Hospital, appointed by the Government, I deemed it my duty to visit some of the more recently constructed Hospitals, and was able to thoroughly examine the large Hospital of Saint Thomas, situated exactly opposite the Houses of Parliament, the new Hospital at Stepney, the new wings at the London and St. George's Hospital, the Hospital for the Epileptic and Paralytic, the new Infirmary at Leeds, and Addenbrooks Hospital at Cambridge.

During my stay in England I visited several Orphan and other Schools. I took this opportunity of making inquiries as to the disposal of sewage in various towns and in large institutions, and I trust that I have obtained information on this and other subjects which will be of service in this Colony.

I hope to be able to refer at greater length, in my Report of this Hospital for the current year, to various points in the management of the institutions which I have visited during my absence from the Colonies.

I have the greatest possible pleasure in reporting to you the orderly condition in which I found this Hospital on resuming the management, notwithstanding the increased number of patients and the many troubles and difficulties incident to the direful overcrowding which exists. Dr. T. Morgan Joseph has, with the cordial co-operation of Mr. Betts and the other officers, managed to maintain the discipline and efficiency of the institution; and, in receiving back the charge from his hands, I have the satisfaction of feeling that the Hospital has in no way suffered from my prolonged absence from duty.

I have, &c.,

F. NORTON MANNING.

1875-6.

NEW SOUTH WALES.

LUNATIC ASYLUM, PARRAMATTA.

(REPORT FOR 1875.)

Presented to Parliament by Command.

THE MEDICAL SUPERINTENDENT OF THE LUNATIC ASYLUM, PARRAMATTA, to THE COLONIAL SECRETARY,
Lunatic Asylum, Parramatta,
8 January, 1876.

SIR,

In accordance with instructions conveyed by Circular letter of July, 1873, I have the honor to present to you my Annual Report upon the condition of the Asylum under my superintendance, for the year 1875, with the Statistical Tables appended.

The number of patients in this Asylum on December 31st, 1874, was 759, thus classified:—

Free Colonial male lunatics	492
" female "	199
Criminal male lunatics	36
" female "	1
Imperial male convict lunatics	27
" female "	7
	<hr/>
	762

The discrepancy in the above numbers arises from the fact that three Imperial convicts are now serving sentences as criminal lunatics.

The number of patients admitted during the year 1875 was 63, thus represented:—

Free Colonial male lunatics	33
" female "	20
Criminal male lunatics	8
" female "	2
	<hr/>
	63

Forty-four (44) deaths occurred during the year, and were thus enumerated:—

Free Colonial male lunatics	27
" female "	11
Criminal male lunatics	2
" female "	0
Imperial male convict lunatics	4
" female "	0
	<hr/>
	44

The number of patients discharged was eight, thus tabulated:—

To their liberty on recovery	3
To their friends under bond	3
To gaol on recovery	2
	<hr/>
	8

Remaining in the Asylum on the 31st December, 1875, 770, classified as follows:—

Free Colonial male lunatics	494
" female "	206
Criminal male lunatics	40
" female "	3
Imperial male convict lunatics	23
" female "	7
	<hr/>
	773

The same remark, with reference to the discrepancy of the above numbers, is similar to that applied to the classification of 1874.

The total number of patients under my care for the year 1875 was 822.

It is a matter of sincere congratulation that throughout the year the general health of this large number of patients has been very good. Early in the year, when this neighbourhood was visited by a

severe epidemic of measles, but one case occurred within these walls. Fortunately the means adopted arrested the spread of the disease, and the patient attacked made a speedy recovery. During the month of September a case of sporadic erysipelas occurred within the walls of the male hospital. The patient thus attacked, though a general paretic and consequently in enfeebled health, made a good recovery. Although this case occurred whilst the patient was confined to his bed in hospital, surrounded by nearly twenty other patients in broken and enfeebled health, and no attempts at isolation were made, there was no spread of the disease. I am happy to state that this has been the only case of erysipelas that has occurred within these walls for three years.

The number of patients discharged has, of necessity, been small. Large results of a curative character are not to be expected in the class of patients from which our numbers are recruited. With the exception of the criminal patients arriving here, nearly all the patients coming under my care reach me in a condition of confirmed dementia or general paralysis.

The death rate is consequently kept somewhat high, as a reference to the appended Table B will show. Out of forty-four patients dying during the year, twelve succumbed to the general paralysis of the insane, and eight died of no specific disease other than the infirmities incidental to age, and classified as senile decay.

During the year no patient escaped from the precincts of this Asylum.

But one death occurred by suicide in the person of a free Chinese patient, who hanged himself in a dormitory. A Coroner's inquest was held upon the body, when no blame was found to be attached to those under whose immediate supervision he was placed. Notwithstanding the most active vigilance on the part of our attendants such cases must occasionally occur. The average age of the patients who died during the year was 51 years, the oldest patient being 75 and the youngest 25.

The oldest resident in the Asylum died near the close of the year, having been for 35 years a patient in Tarban and this Asylum.

The approaching completion of the extensive additions to this Asylum compels me to invite your attention to the large proportions it is about to assume. It must be carefully borne in mind that these enlargements were contemplated and designed for the purpose of affording a superior accommodation to those already within the walls. The great and urgent requirement of this Asylum has ever been a sufficiency of separate rooms or cells for the purpose of removing and protecting from the general association the more vicious, turbulent, refractory, and dangerous.

By the present alterations but thirty-four separate cells are given for the reception of a large number of refractory patients. These cells represent about one-fifth only of the number actually required. Indeed, prior to the alterations being commenced we were provided with twelve cells, cold, cheerless, and unsuitable certainly; and although we obtained in their stead airy and commodious separate rooms, well adapted for the care and protection of the refractory insane, the Institution gains in these large additions but twenty-two cells. This Asylum has always contained a large proportion of such patients as are, by their dangerous, vicious, or turbulent habits, unfitted for association with the general body of the insane.

The Commissioners of Lunacy in England recommended some years ago that the proportion of single or separate rooms in an Asylum should be one-third of the whole accommodation, inasmuch as they considered it essential to the good care and treatment of the insane that every noisy, violent, dirty, or otherwise disagreeable patient should be compelled to sleep apart from the others.

In order that I might arrive at accurate and definite limits representative of the number of patients for whose safety and protection the several wards of this Asylum are fitted, and with due regard to the preservation of health amongst so large a number of people, I have recently caused careful measurements to be made of all the sleeping rooms and dormitories, separate and associated.

These measurements are appended in Table C, which represents the area of the various wards and rooms, with the number of patients at present in occupation. I have shown, by allowing 600 cubic feet of space to each patient, the actual habitable capacity of the various wards and their present overcrowded condition. In allowing 600 cubic feet of space to each individual I have adopted the lowest standard employed by writers upon hygiene and recognized by scientific authorities.

Dr. Bucknill, a recognized authority upon all matters associated with the management and construction of Lunatic Asylums, has said, "The limit of capacity in pauper Asylums may fairly be estimated by the minimum of superficial and cubical space which is thoroughly consistent with health."

It will be seen by Table C that in no ward does the insane patient enjoy that amount of available space considered essential to his comfort and well-being; and I cannot too emphatically impress upon the Government—

1stly. That these alterations were undertaken to supply a more suitable accommodation to those already within the walls.

2ndly. That any encroachments upon the habitable space allotted to each patient are sooner or later attended with pernicious influences upon the sanitary condition of the institution.

By allowing 600 cubic feet of space to each patient in the dormitories and sleeping rooms the actual capacity for accommodation in this Asylum is 366, whereas at present 571 patients are within the walls.

The accommodation in the Female Division is everywhere much below the healthy standard; the area of the associated cells represents 288 cubic feet, three persons sleeping in a cell containing 864 cubic feet of space. The single cells in this division contain but 360 feet. For the hospitals I have allowed 1,000 cubic feet of space for each bed; this however is below the requirement, as I should be disposed to compute for any new hospital as much as 2,000 cubic feet of space for each patient.

The only variation from the overcrowded state of the wards is to be found in the weatherboard-building; here, nevertheless, the original intention has given way before pressing demands for space, and where provision was made for the reception of but 200 patients 250 are now accommodated.

In these wards, inhabited mostly by the aged and feeble, it was intended that 1,000 cubic feet of space should be allotted to each person; this space has of necessity been intruded upon by the constant requirements for increased accommodation, so that this class of patient is now reduced to 800 cubic feet per man.

As a rule large institutions are to be deprecated, but when they become overcrowded in a position where the sanitary arrangements are defective by reason of imperfect sewerage and deficient water supply, they become not only dangerous to those who inhabit them but a source of disease and annoyance to the neighbourhood.

I have spoken thus emphatically upon the general condition of this Asylum and its capacity for accommodation, in order that its wards may not be overcrowded and the recognized healthy limits of their capacity exceeded.

The growing proportions of this Asylum and a prospective increase of patients will entail upon the Medical Superintendent many new anxieties and labours.

In my annual report for 1874 I called attention to this fact, and said that,—“When an influx of additional patients takes place an increased staff of male attendants will be required. It would be further necessary to provide the services of an Assistant Medical Officer for the purpose of aiding in the proper care and supervision of so large a body of people. My professional and clerical duties are now very heavy and I should be unable unassisted to undertake the care of an increased number of patients.”

In view therefore of a certain increase of patients, I again urge that provision should be made in the Estimates for 1877 for an Assistant Medical Officer at a salary of £300 per annum, with rations and quarters.

For three years and more I have cheerfully and assiduously discharged the duties of my responsible office, and I feel apprehensive lest the institution should become too large for my own unaided control. In this apprehension I am well supported by the views of one whose association with the largest asylums in England gives weight and value to his opinion.

Dr. Sankey, in speaking upon the construction of Asylums, concludes by saying “that the number of patients that should be treated in one Asylum is a question of great moment as regards efficiency on one hand and economy on the other. It is essential that the whole should be under one Superintendent; the mind of a man admits of no division; the capacity of one man to exercise efficient supervision must limit the number of patients, and I think no Asylum should contain more than 500 patients, of whom at least 400 should be in the chronic stage.”

The time has now arrived when due consideration should be bestowed upon those important elements to the comfort and well-being of a large institution—light and water.

The lighting of the entire establishment is now accomplished by means of kerosene, which is a tedious, dirty, expensive, and sometimes dangerous process. A careful estimate of the present cost of lighting the entire building gives £200 as the annual expenditure. I have previously advocated employment of gas for this purpose, and recommended it to the consideration of the Government in my various reports. I am induced to believe that the Government was furnished with an estimate of the probable cost of lighting this Asylum with gas much in excess of that probable cost, and at the time when the question of the gas supply was first raised I had sufficient data furnished to me to lead me to suppose that no increase upon our present annual expenditure for lighting would be incurred by the introduction of gas. The Gas Company has reduced its rates and undertakes to bring main and supply pipes up to the doors of the Asylum; these liberal concessions with gas, at the price of 10s. per 1,000 feet, induce me strongly to recommend its adoption for the use of this Institution.

Perhaps the most important subject yet to be dealt with is the means of supplying this Asylum with good water in sufficient quantity. The recent action of the Government with the Municipal Council of this town must ultimately lead to the utilization of that fine reserve at the North Rocks for the supply of the town and various Government Institutions. As I fully endorse all that has been said in favour of supplying this town from the North Rocks Reservoir, I need only add that whilst an inestimable boon will in my judgment be conferred upon the inhabitants of the town, this Asylum, by being supplied by the same source, will be enabled at once to relieve the Government from the very heavy cost of several works about to be undertaken in connection with the supply of water to this Institution.

In the first place the new dam estimated to cost several thousand pounds will be unnecessary, as will also the steam-engine, engine-house, and maintenance of engineer.

The present water supply, obtained from the river by means of horse power at a much lower level than the main building, is defective, limited, and uncertain.

I have therefore to urge upon your notice the very grave necessity that exists for speedily introducing a more adequate supply to every part of the buildings.

New mains of large size are required everywhere, and when once undertaken the water system to this Asylum should comprehend an ample supply to every portion of this establishment, including means of filtration and protection against fire. I again repeat my earnest solicitation of last year that some means to be employed in the event of fire may be at once furnished. Should such a calamity as fire at any time overtake this Institution, no means now exists upon the premises to attempt its extinction.

With the great pressure that would be given to the water supply from the North Rocks I am disposed to think that hose could be adapted to the various buildings, and that the ordinary water supply could be made efficacious in the event of fire.

The usual attention has been given to the entertainment and amusement of the patients, and also to the employment of those able and willing to undertake any kind of labour. The mental condition of the largest proportion of the patients of this Asylum precludes the possibility of introducing any trade occupations; they are only fitted for such work as can be found in the garden, farm, orchard, and wood yard, or in assisting in the wards and cook houses.

I have carefully considered the various items of expenditure incident to this Asylum, and whilst anxious to maintain the strictest economy consistent with the health, comfort, and safety of the patients, I am unable to suggest any method by which the present expenditure can be reduced. Whilst every provision is made to benefit the condition of the insane the cost of maintenance does not exceed that of most Colonial and English Asylums.

The amount received for the maintenance of patients was £144 17s. 10d. This sum can by no means represent the revenue that should be derived from patients who should be self supporting. I regret to say that every artifice is adopted by the friends of the insane to evade the cost of their maintenance.

No changes have occurred in the different offices attached to this Asylum, and I have to repeat the expression of my confidence in the officers under my control, and their ready aid in maintaining the discipline and good management of the Asylum.

The matron continues to exercise the same excellent control over the female division, and to maintain good order and discipline amongst her large number of patients and attendants.

I have, &c.,

CHAS. TAYLOR, M.D.,
Medical Superintendent.

TABLE A.
SHOWING the Annual Number of Patients.

Date.	Free.		Convict.		
	Male.	Female.	Male.	Female.	Total.
December 31st, 1867	282	195	86	8	571
December 31st, 1868	297	206	55	8	566
December 31st, 1869	299	211	53	8	571
December 31st, 1870	503	216	49	8	776
December 31st, 1871	524	204	37	8	773
December 31st, 1872	541	208	33	7	789
December 31st, 1873	538	208	32	7	785
December 31st, 1874	525	200	27	7	759
December 31st, 1875	531	209	23	7	770

TABLE B.
NUMBER and Causes of Death, 1875.

Cause.	Male.	Female.	Total.
General paralysis	10	2	12
Senile decay	7	1	8
Epilepsy	1	3	4
Apoplexy	1	1	2
Cerebral abscess	1	...	1
Tabes mesenterica	1	1	2
Diseases of heart	2	...	2
" lungs	4	2	6
" liver	3	...	3
Cancer	2	1	3
Suicide by hanging	1	...	1
	33	11	44

TABLE C.

GIVING the number of cubic feet contained in each associated dormitory, associated cell, and separate cell; with the number of patients at present in occupation of the same; with the number for whom such accommodation is adapted, allowing for each individual 600 cubic feet of space in the dormitories and cells and 1,000 cubic feet in the hospitals.

Name of Ward.	Cubic area in feet.	Number of patients now in occupation.	Number of patients adapted for.	Remarks.
<i>Female Division.</i>				
No. 1 ward	9,187	21	15	* These 36 cells contain 108 female patients where but 36 should be. These figures show that two female patients occupy the space ordinarily assigned to one. 224 female patients occupy the space that should be allotted to 123.
2 ward	7,050	18	11	
Hospital	14,000	18	14	
Epileptic, No. 1	3,600	10	6	
Epileptic, No. 2	3,450	13	5	
36 associated cells*	864	108	36	
36 single cells	360	36	36	
		224	123	
<i>Male Division.</i>				
No. 1 Ward	9,187	26	15	These figures show that in the various wards comprising the male division 571 patients are accommodated within the limits ordinarily assigned 453, being an excess of 118 patients.
2 "	9,187	26	15	
3 "	12,087	26	20	
4 "	12,087	26	20	
5 "	12,577	30	20	
6 "	20,118	30	33	
7 Flag Ward	14,143	25	23	
8 Down-stairs	3,740	11	6	
9 Up-stairs	3,600	9	6	
Epileptic Ward	9,198	21	15	
Hospital	11,020	21	11	
Extra room	1,568	3	2	
Weatherboard Building, consisting of five dormitories, each	42,000	52	42	
	42,000	52	42	
	42,000	52	42	
	42,000	52	42	
Criminal Division—57 cells, each	568	57	57	
		571	453	

TABLE

TABLE D.

SHOWING the available space in the new Buildings about to be completed, allowing 600 cubic feet of space for each Patient.

	Cubic Feet.	Available for	Remarks.
1 dormitory	36,000	60 patients.	
34 single cells	each 700	34 "	
2 corridors, not intended for dormitories.		94 "	

Sydney: Thomas Richards, Government Printer.—1876.

195--B

[6d.]

1875-6.

NEW SOUTH WALES.

LUNATIC ASYLUM, PARRAMATTA.

(REPORT FROM BOARD OF VISITORS RESPECTING CONDITION OF.)

Presented to Parliament by Command.

THE PRESIDENT, BOARD OF VISITORS, TO THE COLONIAL SECRETARY.

Phillip-street,
5 August, 1876.

SIR,

I have the honor to enclose a Report from the Board of Visitors of Lunatic Asylums upon the circumstances attending the death of Peter Westmeyer, a patient in the Parramatta Asylum, and upon the general condition of this establishment.

For many years past it has been the painful duty of the Board to make periodical visits to this Asylum and to witness its deplorable condition without being able to rectify it.

In 1870 the Board forwarded to the Honorable the Colonial Secretary a Report in which its unsatisfactory state was represented, to show the urgent necessity for providing improved and extensive additional accommodation for the insane, and especially with the view of having the Parramatta Asylum retained only for the criminal lunatics, the epileptics, and imbeciles.

So impressed were the Board with the importance of this subject, that it was thought necessary the Report should be supported by a deputation to the Minister, consisting of the Board of Visitors, Dr. F. N. Manning, Dr. Brown, and Mr. Wardley, who waited upon him accordingly, and specially directed his attention to the general unfitness of this establishment for the purposes of a general Asylum, and to many of the evils which it is our present duty to submit more fully to your most earnest consideration.

I have, &c.,

ALFRED ROBERTS,
President.

The Honorable The Colonial Secretary,—

SIR,

We have the honor to report that in accordance with the General Instructions provided for the guidance of the Board of Visitors to Lunatic Asylums, we have felt it our duty to make an inquiry into the circumstances of the recent death by violence at the Parramatta Asylum, as far as these might bear upon the management of the Institution and the welfare of the patients.

In furtherance of this purpose we have paid three visits to the Asylum, each of some hours duration, and have examined the Medical Officer, the Acting Superintendent, and such of the subordinate officers as appeared capable of affording evidence upon the case.

For various reasons we have felt it our duty to extend the inquiry into the general condition and discipline of the establishment, and in the course of our investigation so many serious evils have been brought under our notice that we feel it incumbent upon us in reporting upon the case in question, again to bring the lamentable state of this Institution under the notice of the Government, and to submit for the consideration of the Government some definite proposals to remedy the many existing evils in this establishment.

The Board commenced their inquiry by taking such evidence as would tend to show whether the death of Peter Westmeyer was the result of neglect on the part of any of the officers or attendants, or due to any other cause affecting the discipline of the establishment.

It appears that the building in which the recent death occurred is an old isolated structure, standing in the imbecile yard. The walls are very thick, strong, and gloomy. It possesses a ground and first floor, upon each of which is a large dormitory, with a small adjoining attendants' room; each attendant's room has an opening in the wall to enable the occupant to look into the dormitory when he wishes to do so.

From the evidence of Peter Latham, the attendant in charge of the dormitory, when the occurrence took place it appears that he has been on the staff rather more than three years, and that he served as junior attendant in the criminal yard until promoted about four months ago to be second class senior attendant, with charge of the dormitory in question.

Up to the present time no complaint has been made of his conduct in any way.

He states that having provided the patients of the dormitory with their clothes and a tub of water to wash in, he barred the door on the outside and left them for more than an hour, without placing another attendant to look after them. That he has constantly done this before, and has never been told he was doing.

doing that which was wrong, although the first class senior attendant, who supervised his department, must have been aware of it.

Upon the other hand, the Acting Superintendent, the master attendant, and first class senior attendant Vietch, state distinctly that such absence was contrary to the general instructions given to attendants and to P. Latham, and that it is the duty of every attendant in charge of a dormitory not only to remain in the dormitory with the patients but to see that each man washes himself. They cannot, however, prove that positive instructions to this effect had been afforded Latham, or indeed to any attendant.

The day attendants upon the male side are divided into two staffs, one for the main building and one for the weatherboard buildings.

The staff for the main building is again divided into two, one for the criminal department and one for the remaining portion.

The staff for the criminal side consists of—

- 1 first-class senior attendant.
- 5 junior attendants.

The staff for the non-criminal portion consists of—

- 1 first-class senior attendant.
- 5 second-class senior attendants.
- 11 junior attendants.

The staff for the weatherboard buildings consists of—

- 1 first-class senior attendant.
- 11 junior attendants.

The night staff is as follows—

- 1 junior attendant in the criminal yard.
- 1 junior attendant in the Hospital yard.
- 1 junior attendant for the remaining portion of the main building.
- 1 junior attendant in the weatherboard buildings.

Twelve other men are employed more or less with the patients, but these are not upon yard duty.

The master attendant has the general supervision of all the male attendants in both branches of the Asylum.

The first-class senior attendants act as his overseers, each having charge of a department.

The second-class seniors have the care and responsibility of the patients and yards.

The junior attendants work as the assistants of the second-class seniors in taking charge of the patients, &c.

When a man is engaged as an attendant he is placed in a yard on probation, and if at the end of a month the senior attendant under whom he is placed, and who instructs him in his duties, reports upon his conduct satisfactorily, he is placed on the permanent staff.

After acting as a junior attendant for a longer or shorter period, he is promoted to the position of second-class senior attendant, and is supposed to receive from the man whose duties he takes, and from the first-class senior attendant over the department, verbal instructions as to his duties, the patients, &c.

There does not, however, appear to be any rule calculated to insure his special knowledge of his new duties, or a practical acquaintance with the patients committed to his care.

The night watchmen, each of whom is alone in his department, are instructed not to enter the aforesaid dormitories where any violent or refractory patients sleep unless there is a noise, in which case he summons assistance from one or more of the attendants who sleep in the rooms adjoining the dormitories, and goes in.

All the married attendants are allowed to sleep out of the Asylum one week in three, and there is no rule to ensure the place of an absentee being taken by another, though this is often done. It is, however, an understood rule of the establishment that one first-class senior attendant shall always sleep in the establishment at night.

In regard to the accommodation for the attendants, it is in rather worse condition than when the Board reported in 1870.

The sleeping apartments may be described as not bad, though far less comfortable than they should be; there is no sitting room or any means of recreation, either on the male or female side of the main building.

The attendants on duty in the criminal yard are allowed the use of one of the cells as a mess room. All the rest of the male attendants have to take their meals in one very old and uncomfortable room in the imbecile yard.

The staff on the female side consists of a matron and twenty attendants in all, senior and junior, one being always on night duty, giving an average of one attendant to ten and a half patients.

The sleeping accommodation for these women is very bad, many of them occupying beds in the crowded associated dormitories of the patients. This, combined with the long hours, probably accounts for a fact we have often regretted to observe, namely, the rapid deterioration in health of young women after first entering upon their duties.

The only apartment available for their use during the day is a very small room where all their meals are cooked at an ordinary fire and a Colonial oven; except in the cold weather these women usually carry their meals to their bed-rooms in preference to eating them in the heat and closeness of this so-called kitchen.

The meals of the attendants are cooked in the general kitchen, and the attendants have to bring their food when cooked from the kitchen to the mess room, thereby involving both waste of time and discomfort.

The acting Superintendent considers that the wretched accommodation above described militates very seriously against the chances of getting a superior class of men, and knowing what the accommodation is we quite agree with this opinion.

No complaints have been made to us of the weakness of the staff in point of numbers or of misconduct on the part of any of the attendants.

A very limited code of general rules appears to have been drawn up by Mr. Wardley, the late Superintendent, some time previous to his death—one copy of which was hung up in his office, and one in that of the matron; these have, however, been removed for some years past. (Copy appended.)

Since

Being 1 attendant to 12½ patients on male side of main establishment.

Being 1 attendant to 20½ patients.

Since their removal no code of printed or written rules has existed for the guidance and discipline of the officers and attendants, nor have any records been kept to show in what manner they have performed their duties.

The establishment has evidently been conducted for many years (if not always, as we imagine to be the case) without regular discipline, by means apparently of a kindly understanding throughout the staff, each member of which has been expected to do his best, and act in accordance with certain generally understood and verbal instructions.

As this Asylum is usually considered to be a refuge for the chronic and incurable patients, it is necessary to state, that although such is the case it contains a very large number of cases which require the utmost vigilance, trustworthiness, and forbearance on the part of the attendants. On the one hand are the criminal, the violent, and the aggressive, the care of whom is a heavy responsibility, and on the other a large number of epileptics and imbeciles, who it is especially necessary and difficult to guard against unkindness and exaction.

The male patients are classified as follows:—The quiet, the imbecile, the epileptic, the refractory, the violent, the dangerous, and the criminal; and separate sleeping accommodation is provided for each.

The criminal class are provided with single cells, and the cells in the criminal yard being at present more numerous than the patients, a few of the most dangerous of the non-criminal patients occupy the remaining cells in the department.

The other violent, and the worst of the refractory, patients occupy the new cells which have been lately taken into use. The rest of the refractory class occupy the two dormitories in which the late outrage occurred, the worst cases being placed in that on the ground floor.

The master attendant states:—"If we had sufficient cell accommodation I should place one-half of the patients of those dormitories in single cells."

The female patients are classified upon the same principles.

Such of the patients, other than criminals, as are capable of work, are employed in various occupations—some at the farm, and others in divers ways connected with the working of the establishment.

They rise at half-past 6 in the summer, and 7 in the winter; and are locked into their dismal dormitories at 5.30 p.m. in the winter and 6 in the summer months.

Erected originally for a prison, none of the buildings in the main establishment have ever been adapted to the purposes of a lunatic asylum; most of them also have been for many years clearly beyond the hope of repair, and no attempt has therefore been made to do more than endeavour to keep the weather out and the interior clean, with the exception of one in the new building just completed.

There is not a day-room, or any accommodation for the recreation of the patients, in the whole main establishment.

The weatherboard buildings, however, which are some distance from the main establishment, possess large and good dayrooms where dances and other evening amusements are occasionally got up for the amusement of such patients of the entire Asylum as are able to attend.

The staircases of all the old buildings are out of repair, and utterly unsuitable for the use of lunatics.

Of the ten associated dormitories on the male side of the main establishment, eight are ventilated and lighted by large unglazed openings in the walls, each of which is guarded by thick iron bars. The buildings are all old, out of repair, and devoid of any comfort. The cubic space varies from 355 to 522 per patient.

The two which possess glazed windows are the hospital, which is very old, wretched, and unsuitable, and the dormitory in the new building, which is an excellent room. The cubic space in the former is 525 feet and in the latter it will be 600 feet when fully occupied.

The department devoted to the accommodation of the male criminal lunatics and men confined during the Queen's pleasure, at present consists of one small yard, surrounded by a very high wall, in which stands a substantial stone three-storied building, containing fifty-two single cells, well adapted to their purpose. A new wall has, however, lately been built to include a large area of ground in the department.

Up to the present time the condition of these patients has been deplorable in the extreme. The very limited area of the yard, the intense heat reflected during the summer months from the high walls and lofty building, and the cold draughts arising from the same causes during the winter months, the dreary monotony caused by the absence of vegetation, and above all, the absence of any occupation, have never failed to impress us most painfully, and as equally contrary to the dictates of humanity and justice.

The number of separate cells on the main side of the main establishment is in the proportion of one to four patients.

The dormitories on the female side are highly unsatisfactory.

The large associated rooms are old, unsuitable, and crowded, the cubic space varying between 265 feet and 666 feet per patient, while the superficial floor space of one room is only 28 feet.

The building containing the separate cells is one of the most repulsive and objectionable features in the Asylum, and the accommodation it affords is inferior to that provided for the lowest type of criminals in a modern gaol; the cells possess narrow fissures in the thick walls, through which no ray of sunshine can enter, but which admit freely blasts of cold air and driving rain; they have no glazed windows and the floors are of sandstone. The doorway is only 18 inches wide and is guarded on one side of the wall by a grating formed of thick iron bars, and on the other by a heavy wooden door fastened by a large conspicuous iron bolt.

The cubic space in the single cells is 360 feet, and in those occupied by three patients it is 288 feet per patient.

In these sad relics of by-gone prejudice are necessarily placed females of all ages—some violent, noisy, aggressive, and dirty; others of gentle birth and disposition, and clean in their habits.

The Matron states that owing to the number of dirty patients, and the want of a separate and suitable dormitory, or of sufficient single cells, she has great difficulty in managing this class.

Most of the bedsteads in use throughout the establishment are very old, and of unsuitable construction; some slide together, one half within the other—others fold in the centre; in either case the bedsteads have sharp corners and edges formed of square edged iron, and are put together with iron pins, some of which project. The folding bedsteads when turned up offer at the end which projects into the room two especially

especially sharp angles, one at each corner. The pins which hold the parts of the bedsteads together are said often to come out and the legs to drop off occasionally when the bedsteads are moved on the floor.

No other article of furniture is provided for any dormitory except the night-tubs.

The arrangements for washing and bathing the patients are most unsatisfactory.

In the criminal yard is a lavatory room, in which are two baths and four worn out lavatory basins, formed of thin copper; two of these are loose—one has a large ragged hole in the bottom, and all are without plugs.

The 306 male patients in the main establishment have for years past been washed and bathed in the wash-house, an old and dilapidated building, containing seven wooden baths, which are also used for washing the clothes and linen of the entire male establishment. A new bath-room has, however, just been built for this department, which is conveniently placed, of good size, and contains eight good cement baths, being in the proportion of one to thirty-eight patients.

A portion of the female patients are washed and bathed in the wash-house on the female side, but it contains no baths, and the ordinary tubs in which the clothes and linen of the department are washed are therefore used for the purpose. The other portion are washed and bathed in two movable galvanized-iron baths in an open space, on one side of the passage, within the building, which contains the separate cells.

With the exception of the four useless basins in the criminal yard, there is not a fixed lavatory basin on the male or female side of the main establishment, which contains ninety-seven patients, a large number of whom are very dirty in their habits.

The mode of dealing with the patients in the dormitory of which he has charge when they get up in the morning is thus described by the attendant, Latham:—The door of the dormitory is unbarred, and the attendant calls out "Clothes, oh!" the patients then come to the door, and the attendant, removing the bundles of clothes from the pegs, throws to the men, who each selects his own and retires to the ward to dress. The attendant then takes two or more patients to remove the night-tubs from the dormitory, and gets a large galvanized tub with water, which is placed on the floor of the dormitory, and in this the twenty-seven unfortunate patients wash. We venture to think that it would be difficult to devise anything more repulsive or less efficient.

It is, however, to be borne in mind that the other attendants state they considered it their duty not only to remain with their patients when washing, but to see that those who could do so washed themselves, and that the incapable were washed by others. We gathered an impression, however, that it is probable, from the general absence of strict discipline, that the patients are sometimes left to shift for themselves at this time.

The patients are allowed a change of underclothing once in every week, and no change of clothes for the night is allowed, so that the patient uses the same underclothing day and night for an entire week.

All the clothes, linen, &c., of the entire male establishment are washed in the old wash-house previously mentioned, where the patients themselves are bathed. The building is very old, and miserably out of repair, and the appliances of the most rough and dilapidated description.

The clothes, &c., on the female side are washed in the building, also previously mentioned as that where a large number of patients are bathed and washed, the same tubs being used for both purposes. The appliances are very old, and if possible worse than those on the male side. There are no means of artificially drying clothes in wet weather, or any for economising labour in the whole establishment, neither is there any laundry, except a small room originally built for an attendant's meal room on the female side.

All the patients get boiled meat five days, and baked meat two days in the week, with soup and vegetables daily.

The food for all the male patients of the main buildings is cooked in one very old kitchen of good size; it contains a brick oven, four large old-fashioned boilers roughly set in brick work, and a good Leamington stove, such as is used in an ordinary private kitchen.

The food for the female patients is all cooked in one kitchen, which is rather small, very old, and in wretched repair; it contains three large and old open boilers only. The patients' meat is therefore cooked on the two days of the week when baked meat is allowed in the kitchen on the male side.

All the food is cut up and divided into rations in the kitchen; each ration is put on a tin plate and a single layer of the filled plates are laid in an iron tray; the trays are then carried without any covers through the open air to the yards, and the plates with the rations are distributed among the patients under a shed in the open air. Most of the sheds are provided with rough narrow tables.

The establishment at the present time is almost without store room accommodation, but good new stores for what are termed dry goods are now being completed.

We append a return showing the measurement of each room occupied by patients in the establishment, and specifying the use to which it is put.

Having thus brought under your notice the present general state of this Asylum, we beg respectfully to submit the following opinions and suggestions for your consideration:—

1. That the injuries which caused the death of Peter Westmeyer did not result from an epileptic or other form of convulsive seizure, or from any attempt at suicide, and were probably produced by his head being brought into violent contact with the framework of one of the iron bedsteads.
2. That the attendant, Latham, neglected his duty on the morning of the occurrence, and that he had done so on former occasions, which were known to 1st class senior attendant Veitch, without being reprimanded by him, or reported by him for neglect to the master attendant.
3. That the present absence of strict discipline *has always existed* more or less, and that the very old and dilapidated condition of a large portion of the buildings and yards, the absence of necessary accessories, and the general unfitness of the establishment for the purposes of a Lunatic Asylum, have a demoralizing effect upon the patients and attendants, are a source of danger, are incompatible with the degree of discipline which ought to exist throughout a large Lunatic Asylum, and with the comfort, healthy occupation, and tranquility demanded by common humanity.

4. That the establishment has been conducted upon the same system for very many years past, and we have found nothing to show that the staff collectively, or its members individually, do not endeavour to perform their responsible duties in a conscientious manner.
5. That Mr. Firth, the present Acting Superintendent, is competent to manage the Asylum with the professional assistance of Dr. Brown, until the return of Dr. Taylor from England.
6. That the area within the walls of the main establishment is far too much crowded with buildings and patients, the entire space of which should be devoted to the accommodation of the male criminal lunatics, and the male imbeciles and epileptics.
7. That the weatherboard branch affords satisfactory temporary accommodation for 250 patients, but is deficient in administrative accommodation, such as washhouse, laundry, &c., &c.
8. That a complete general plan should be forthwith drawn, supplying efficient accommodation for the above-mentioned classes of patients; that all permanent alterations and additions should be made in strict accordance with such plan, and that they should be completed as rapidly as possible.
9. That accommodation of a temporary and economical character should be at once provided for those patients who are to be ultimately removed to other Asylums, and for such as are to be permanently retained in this establishment, but whom it may be necessary to remove from the Asylum during the progress of the above-mentioned works.
10. That means should be adopted to furnish occupation for such of the criminal lunatics as may be capable of following it.
- 10½. That no criminal lunatic, or Queen's pleasure patient, should be placed in any other part of the establishment or employed beyond the walls of the criminal department until his case has been submitted to the Board of Visitors, and their approval obtained.
11. That it is desirable all the Public Asylums should, as much as possible, be conducted upon similar principles, and that a full code of clear and explicit rules should therefore be framed by the Inspector of the Insane, for the management of the Asylum, and that printed copies of these should be hung up in the office and other suitable parts of the establishment.
12. That a complete code of rules should also be drawn up by the Inspector of the Insane for the guidance and instruction of the attendants. That those should be read over to every attendant when first engaged; and that a pocket copy should be given to him, for the possession and safety of which he should be held responsible during his period of service.
- 12½. That arrangements ought to be made to have the meals of the attendants brought to them from the kitchen, and that the time for breakfast should be fixed for an hour at which all the patients should, under ordinary circumstances, be dressed, and that the attendants should go to their meals in parties thirty minutes being allowed to each party. That the first-class senior attendant, in charge of the yard, should arrange which of the attendants should go to their meals together, and should be responsible that the duties of the yard are properly attended to in their absence.
13. That the interior of every associated dormitory and separate cell building should be visited by the night attendants in company, once in every two hours, and the exterior of the same once in every two hours—the visits alternating once an hour; and that a sufficient number of Dent's tell-tale clocks be fixed in suitable positions to ensure a correct record of the visits paid.
14. That upon no occasion should an attendant, after he has entered upon his day duty, be permitted to leave the patients under his special care without placing another attendant in temporary charge.
15. That before an attendant is placed in charge of a new department he should serve in it for some days with the attendant in charge, to learn his duties and make himself acquainted with the individual character of the patients.
16. That a fair-sized and comfortable day-room should be provided for the attendants of each department.
17. That well-constructed general washing-rooms should be provided throughout the main establishment, and fitted with baths in the proportion of one to every twenty patients, and lavatory basins in the proportion of one to every ten patients.
18. That a code of rules to regulate the bathing of the patients, and for the guidance of the attendants in reference to the same should be drawn up by the Inspector of the Insane, and carried into use as soon as the required accommodation can be provided.
19. That the present baths in the criminal department should be replaced by those formed of brick and cement.
20. That the present iron rail, which is fixed round each floor of the female cell buildings, answers no useful purpose, and is a source of great trouble to the attendants by offering an easy hold for the hands of patients who require to be placed in a cell during paroxysms of violence.
21. That these should be removed at once, and a row of lavatory basins be placed in the centre of one of the floors. This alteration might be made at a very small expense, without any inconvenience, and would provide ample and efficient lavatory accommodation for the 150 patients occupying the building.
22. That a thoroughly efficient wash-house, lavatory, and linen-room, should be erected for the main establishment, and another at the weatherboard branch.
23. That it is most undesirable for the persons of the patients to be washed in the same apartment and vessels as the clothes.
24. That an efficient new kitchen, scullery, &c., is urgently needed, and should be at once built in such position as will be most suitable for the Asylum when its accommodation has been modified as suggested.
- 24½. That the patients should be provided with a change of clothes for the night, and a change of underclothes for the day, at least twice a week.
25. That the patients should be allowed roast or baked meat three times a week; and that proper means be adopted to keep the rations warm during carving and delivery to the various yards.

26. That all the old bedsteads which slide one-half into the other (398 in number), and those which fold in the centre (230 in number), are unsuitable for a lunatic asylum, and should be replaced as soon as proper bedsteads can be obtained from England.

27. That the present room used as a grocery store is too small, and its position adjoining the dead-house undesirable, and that a new grocery store should be erected and properly fitted.

In concluding this Report we desire to express our acknowledgment of the courteous and candid manner in which every one connected with the establishment has at all times afforded us necessary information; and our thanks are especially due to Mr. Firth for the cordial assistance he has rendered us in carrying out the recent inquiry.

ALFRED ROBERTS,
President.

PARRAMATTA LUNATIC ASYLUM.

RETURN showing the measurement of each apartment used as an associated dormitory, its number of beds, and the cubic space per bed.

Male Side.

No.	Rooms.	Measurement.			Total cubic feet.	No. of beds.	Cubic feet to each bed.	Remarks as to ventilation, &c.
		Width.	Length.	Height.				
DORMITORIES.								
10	Weather-board	25	56	12	168,000	260	646	
2	Main building	21	46	9½	18,374	52	353	
2	"	22	46	12	24,288	52	464	114 ft. off for chimney stacks.
1	Ward, No. 5	25½	55½	9	12,487	30	416	
1	" 6	25½	55½	12	16,650	30	550	14½ ft. high.
1	" 7	19	55	12	12,540	25	501	14½ ft. high.
1	" 8	20	21	10	4,200	11	340	460 ft. off for chimney and stair.
1	" 9	20	21	8½	3,675	9	400	75 for chimney stack.
1	" Epileptic	14½	76	9	9,918	21	438	720 off for attendant's room.
1	" Hospital	14½	76	10	11,020	21	525	
1	" Extra room	14	14	8	1,568	3	522	
	Day-rooms .....	...	...	Nil.	.....	...	...
	Passages .....	...	...	Nil.	.....	...	...
	Others .....	...	...	Nil.	.....	...	...

PARRAMATTA LUNATIC ASYLUM.

RETURN showing the measurement of each apartment used as an associated dormitory, its number of beds, and the cubic space per bed.

Female Side.

Number.	Rooms.	Measurement.			Total cubic feet.	Number of beds.	Cubic feet to each bed.	Remarks as to Ventilation, &c.
		Width.	Length.	Height.				
1	No. 1 ward	21	46	9½	9,187	21	433	
1	No. 2 "	14½	40½	12	7,050	18	392	
1	Hospital	20	50	12	12,000	18	666	14 feet high.
1	Epileptic ward	12	30	10	3,600	10	360	
1	" No. 2	11½	30	10	3,450	13	265	

PARRAMATTA LUNATIC ASYLUM.

RETURN showing the measurement of each apartment not used as an associated dormitory, the number of patients sharing in its accommodation, and the cubic space per patient.

Male Side.

No.	Rooms.	Dimensions.			Total cubic space.	No. of Patients	Cubic space to each Patient.	Remarks.
		Width.	Length.	Height.				
1	Day-room and Dining-room	24	237	12	68,256	250	273	Weatherboard, 15 ft. high.
	Dining-room .....	...	...	Nil.	...	...	...
3	Passages	12	81	12	32,076	57	562	Criminal Ward, the upper passages
	Other Rooms .....	...	...	Nil.	...	...	...	21 ft. high.

PARRAMATTA LUNATIC ASYLUM.

RETURN showing the measurement of each apartment not used as an associated dormitory, the number of patients sharing in its accommodation, and the cubic space per patient.

Female Side.

Number.	Rooms.	Dimensions.			Total cubic space.	Number of patients.	Cubic space to each patient.	Remarks.
		Width.	Length.	Height.				
	Day-rooms .....	...	...	Nil.	...	...	...
	Dining-rooms .....	...	...	Nil.	...	...	...
1	Corridor	10	125	10	12,500	36	347	
1	"	10	125	10	12,500	54	231	
1	"	10	125	12	15,000	54	277	15 ft. high.
	Other Rooms .....	...	...	Nil.	...	...	...

PARRAMATTA

PARRAMATTA LUNATIC ASYLUM.

RETURN showing the number of Cells, the dimensions and cubic space of each, and the cubic space per patient.
Male Side.

Number of each class of cell.	Number of patients in each.	Measurement.			Total cubic space.	Cubic space per patient.	Remarks.
		Width.	Length.	Height.			
57	1	6 ft.	8	11 ft. 10in.	32,376	568	Criminal.

1 January, 1876.

CHAS. TAYLOR,
Medical Superintendent.

PARRAMATTA LUNATIC ASYLUM.

RETURN showing the number of Cells, the dimensions and cubic space of each, and the cubic space per patient.
Female Side.

No. of each class of cell.	No. of Patients in each.	Measurement.			Total cubic space.	Cubic space per patient.	Remarks.
		Width.	Length.	Height.			
36	1	5	8	9	360	360	
36	3	8	12	9	1,728	288	

Parramatta, January 1st, 1876.

CHAS. TAYLOR,
Medical Superintendent.

PARRAMATTA LUNATIC ASYLUM.

RETURN showing the measurement of the associated dormitory, day-rooms, corridors, and cells, and their number in the recent addition to the Asylum.

Male Side.

No.	Rooms.	Measurement.			Total cubic feet.	Present No. of beds.	Present cubic ft. to each bed.	Remarks as to ventilation, &c., &c.
		Width.	Length.	Height.				
34	Cells	6½	12	12	each 936	1 each	936	Ventilated by a ventilator in the windows, and ventilators top and bottom of the cell.
2	Corridors	12	122	12	17,568	nil ...	nil ...	Ventilated by ten windows in each corridor.
1	Dormitory	25	120	12	36,000	40	900	Intended for sixty beds. Ventilated by eighteen windows.
1	Day-room	25	120	12	36,000	nil ...	nil ...	Used by over 100 patients, according to circumstances. Ventilated by eighteen windows.

27th July, 1876.

JAMES ROBT. FIRTH,
Acting Superintendent, Lunatic Asylum, Parramatta.

RETURN showing the area of superficial space within the walls of the Parramatta Asylum before the additions now in progress were commenced :-

SURFACE of ground, including upon which the various buildings stand, about 231,675 feet superficial, or in the proportion of about 421 feet to each patient.

A.R.

APPENDIX.

RULES to be observed in the wards of Parramatta Lunatic Asylum, which will in future be strictly adhered to :-

1. In case of any patient becoming so refractory, aggressive, dangerous, and excited as to render temporary seclusion in a cell both necessary and merciful, all possible care must be taken to prevent a struggle between attendants and patients, to which end no single attendant must attempt to perform this unpleasant duty alone, but must summon such assistance as is sufficient to overpower or deter resistance at once. This is but justice to both, and is also the proper course of humanity, since it renders injury on either side improbable, and does not excite that frenzy of rage which is so painful to witness, and is so injurious in mental derangement.

2. All such cases to be reported without delay to the matron or master attendant respectively, who will make themselves acquainted with the circumstances, and report in accordance (also without delay) to the Superintendent or officer in temporary charge.

3. The administration of shower-baths is strictly prohibited, except by the direct authority of the Superintendent or the order of the Medical Visitor, in which case the matron or master attendant will superintend the administration in person.

4. The use of the feeding-spout or stomach-pump is also strictly prohibited, except under the same restrictions as in the foregoing rule.

5. The matron and the senior attendant must on no account be off duty together either before or after lock-up hours.

6. One of the three responsible male officers shall always be on duty, both before and after lock-up hours, when the Superintendent is on the premises, and two when he should happen to be absent.

7. No communication is allowed through officers or attendants between the inmates and persons outside, and nothing is to be carried in or out of the wards for them, except by the permission of the officer in charge, who will become responsible for the act.

8. All harsh language, threats, or irritating remarks to patients to be avoided.

9.

9. Information to be conveyed to Superintendent, Medical Visitor, or officer in temporary charge as to the expression of any new delusion or the revival of an old one which has been for any length of time apparently dormant in a patient.

10. On admission all female patients to be bathed, under the personal superintendence of the matron, and male patients under the personal superintendence of the master attendant, who will immediately afterwards report their observations to the superintendent or officer in temporary charge.

11. All officers and attendants to be present on Sundays at the official morning round.

12. No officer or attendant is on any account to be absent from the Asylum without permission.

13. The matron on the female division, and the dispenser, accompanied by the master attendant, will go through each ward at the time the patients rise every morning, see every patient, and report their observations thereon to the Superintendent or officer in charge for the time being; and the matron and master attendant will also be present in their respective wards and see all the patients go to bed at night, make a final round at half-past 9, and report in accordance with the annexed form.

14. There is one offence to which the Superintendent particularly draws the attention of the officers and attendants, that of striking or otherwise personally ill-treating a patient, which he will consider beyond the possibility of pardon.

Lunatic Asylum, Parramatta.

Number of patients in the hospital and in bed,—

 " " seclusion,—

 " " employed,—

 " " not employed,—

Total patients in the Asylum,—

Number of patients admitted,—

 " " discharged,—

 " " deaths.

The patient's bedroom doors are locked, and the night attendants have commenced their duties.

A. ROBERTS.

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

PROPOSED LUNATIC ASYLUM AT GARRYOWEN.

(PETITION AGAINST—LANDOWNERS AND OTHERS.)

Ordered by the Legislative Assembly to be printed, 8 March, 1876.

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

The humble Petition of the undersigned,—

HUMBLY SHOWETH :—

That your Petitioners are residents on and the owners of lands and houses in the immediate vicinity of Garryowen.

That some of your Petitioners have for many years past spent large sums of money in the purchase and improvement of their residences there.

That arrangements are now being made for the establishment of a branch Lunatic Asylum at Garryowen, which is situate on the road between Balmain and Petersham.

That the preparations consist (as appears outwardly) of barring the windows of the house there which was formerly a private residence, and enclosing one and a half acres of land in front with a wooden boarded wall 7 feet high.

That such a fence is no protection against the escaping of lunatics and the consequent risk to the neighbours and others of violence and outrage, but is trifling with the lives and safety of the residents and others, and is like "playing at mad-houses."

That houses and population in the neighbourhood of Garryowen are increasing, and it promises before long to become a very populous suburb of Sydney.

That continual dread of violence and outrage would seriously affect the residents, especially ladies and children (of whom there are a great many), more particularly as under the present lax system many lunatics are permitted to roam about without supervision.

Your Petitioners are anxious to avert the calamities which would be occasioned by the establishment of a Lunatic Asylum at Garryowen, and with that view petitions have been presented to His Excellency the Governor and the Executive Council within the last two years against it.

That the land at Garryowen is sterile, and that an equal quantity of land might be obtained in a more suitable and accessible position at a very much less cost; and inasmuch as land near Sydney has lately very much increased in value, Garryowen might be disposed of at a profit upon its late purchase, or it might be utilized for sanitary or other purposes.

That your Petitioners are informed that Dr. Tucker is willing and prepared to receive a large number of patients at his Asylum at Cook's River at a charge of one pound two shillings and sixpence each per week.

That instead of erecting a Lunatic Asylum at Garryowen it would be more conducive to the welfare and recovery of the patients if branch Asylums were established in some of the inland districts, which would relieve the patients of much irritation and worry in travelling, and insure a more speedy admission and release without removing them from their own respective districts, and prevent any excess of patients in the Asylum at Gladesville.

Your Petitioners therefore humbly pray that your Honorable House will not permit a Lunatic Asylum of any description to be formed or established at Garryowen.

And your Petitioners will ever pray.

Leichhardt, 7th March, 1876.

[Here follow 9 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

PROPOSED LUNATIC ASYLUM AT GARRYOWEN.
(PETITION OF RESIDENTS IN THE VICINITY—AGAINST.)

Ordered by the Legislative Assembly to be printed, 31 March, 1876.

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

The humble Petition of the undersigned,—

HUMBLY SHOWETH:—

That your Petitioners are residents in the vicinity of Garryowen near Balmain, where it is contemplated to establish a branch Lunatic Asylum.

That a small piece of land has been enclosed with a wooden fence only seven feet high which affords no sufficient protection against lunatics escaping and committing acts of violence and outrages.

That the population of Balmain is fast increasing towards Garryowen, and that Garryowen is likely soon to become a very populous suburb of Sydney.

That instead of establishing a Lunatic Asylum at Garryowen, it would be more advisable and beneficial to patients if branch Asylums were established in some of the inland districts of the Colony.

Your Petitioners therefore humbly pray that your Honorable House will not permit a Lunatic Asylum of any description to be formed or established at Garryowen.

And your Petitioners will ever pray.

March, 1876.

[Here follow 94 signatures.]

1875-6.

NEW SOUTH WALES.

RANDWICK ASYLUM BOARD OF INQUIRY.

REPORT OF THE BOARD

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
14 June, 1876.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1876.

MEMBERS OF THE BOARD.

HAROLD MACLEAN, Esq. (CHAIRMAN).

HOULTON HARRIES VOSS, Esq.

GEORGE FULLERTON, Esq.

W. W. TARLETON (SECRETARY).

THE PRINCIPAL UNDER SECRETARY TO THE INSPECTOR OF PUBLIC CHARITIES.

76-681.

Colonial Secretary's Office,
Sydney, 9 February, 1876.

SIR,

With reference to your letter of the 27th of January, I am now directed by the Colonial Secretary to inform you that His Excellency the Governor, with the advice of the Executive Council, having regard to recent disclosures as to the treatment of children in the Asylum for Destitute Children at Randwick, has been pleased to appoint yourself and two other gentlemen, namely, the Comptroller General of Prisons, and Houlton Harries Voss, Esquire, J.P., to make a searching inquiry into the mode of admission of children, and into the whole subject of the management of that institution, and to report on the same to the Government.

I have, &c.,
HENRY HALLORAN.

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RANDWICK ASYLUM BOARD OF INQUIRY.

REPORT.

To the Honorable the Colonial Secretary,—

SIR,

We have the honor to report that we have brought to a conclusion the inquiry with which we are charged into the working of the Society for the Relief of Destitute Children, in respect of the Management of the Asylum at Randwick.

2. The evidence collected by us, and which with information in other forms is hereto appended, was not taken in shorthand, and is therefore presented in substance, the verbatim language of the witnesses being rendered only in the more important passages.

3. Following the line of our instructions, we gave our first attention to the disclosures of ill-treatment of the children, the mode of their admission, and then proceeded to make "searching inquiry into the whole subject of the management."

4. That there has been ill-treatment of the children, to an extent inconsistent with the conditions of a well regulated Institution has been fully established; nor have we seen any reason to induce us to think that in the cases of this kind dealt with by the Courts of Law there has been miscarriage of justice. In arriving at these conclusions we have not relied upon the testimony of children individually or collectively, unless it was corroborated by undisputed facts; and a concurrence in circumstances and incidents, not in themselves admitting of evidence being concocted. There does not appear to have been any rule upon the subject of corporal punishment properly impressed upon the officers and servants. The only authorized rules are dated 9th August, 1863. They are very meagre, and are silent upon this subject. We have been shown a code of draft rules, which have not passed the Directory, but have been, we are informed, acted upon for some years, in which provision is made as to corporal punishment; but this provision seems to have been very imperfectly known in the Institution. Provision was certainly made in an order book at one time kept, very properly, by the Superintendent, but which he discontinued, an objection to it having been taken. To this absence of any rule such as above indicated properly understood, and enforced, we more immediately attribute the practice having grown up of an unauthorized infliction of punishment, according to the individual views or dispositions of inferior officers and servants. But we are unable to separate the consideration of the origin of a state of things admitting of such occurrences from the general question of management, which it will be our duty fully to enter into.

5. Under existing circumstances we see no reason to take exception to the purposes of the By-laws as regards the classes of children whose admission is provided for, and we believe that the increased vigilance of the House Committee for some time back in resisting ineligible applications, has, in a great measure, obviated abuse in this respect. But we think that still further inquiry, through the Police, or otherwise, could advantageously be made in such cases. There seems to us to be no valid reason for continuing the practice of making large drafts of children from the Benevolent Asylum at long intervals; on the contrary, this mode of transfer is inconvenient to the Randwick Asylum, and disadvantageous to the children. We recommend that the children be transferred monthly. Having regard to the present ample hospital accommodation, the restriction provided by By-law No. 6, to the admission of children suffering "from any contagious, infectious, or cutaneous disease," may well be withdrawn, and thus the anomaly of refusing children evidently contemplated by By-law No. 2, Clause 1, and provided for by the designation of the Society in the term "Destitute," will be practically removed.

6. The main building of the Asylum is spacious, and in some respects suitable for its purposes; but having been constructed before the modern ideas of lessening the aggregation of children by means of separate houses had advanced to their present stage, the Institution is placed at a disadvantage. Nevertheless, by a judicious re-organisation

re-organisation of the internal arrangements, much in the way of division may be accomplished, even in the existing building. It would be practicable also to make material improvements in respect of the immediate out-buildings.

7. The absence of a plan of the buildings and property has been a hindrance to us in our examinations, and must have been a constant source of like hindrance to the Directory in questions of the better use of the various apartments and subdivision and utilization of the land.

Hospital.

8. The hospital is a handsome building, and appears to us to be so satisfactory in its accommodation, appointments, and administration, that we may pass it by without further remarks.

Play-grounds.

9. Nothing in the course of our examination struck us more forcibly than the insufficiency and dreariness of the playgrounds. They are bare, without protection from sun or rain, nearly devoid of arrangements for amusements or exercise, and are dirty and badly drained. It is not to be wondered at that the hilarity of their age is not to be observed among the children in these grounds. At no great cost the grounds could be altered, extended, and improved, there being ample space of land available for the purpose.

Tuition and industrial employments.

10. The schoolrooms are large and in many respects suitable, but arrangements should be made for establishing classrooms, and for periodical examinations by Public School Inspectors. The present system of training the children by alternate weeks of school teaching and employment in industries, under which they have in fact only 15 hours schooling in a fortnight, is abortive, and should forthwith be abolished. The children learn little in school and less at the industries. It does not seem that what they do learn in the latter is in any way conducive to their being taken as apprentices. A child coming in at 6 or 7, unable to read, and his time, at the latter period divided between school and work till he is apprenticed, say at 12½, could acquire scarcely any school education. The children, even when ripe for apprenticeship, are too young for work, and with some few exceptions, where special intelligence and aptitude is shown, and certain things necessary to be done, would be much better physically and morally kept to school with suitable relaxation for play. We are borne out in this opinion by the practice of the Asylum at Bristol, which is admitted to be a model, and was visited by Mr. Dawson, one of the Directors.

11. The treatment of the children under the existing system is far too mechanical. It seems to us that to this cause, enhanced by the condition of the playgrounds and absence of internal arrangements for amusements, coupled with improvement, by the institution of reading rooms and the like, the depressed tone of the children above referred to, and which can be observed in no other similar Institution, is to be ascribed; and the same causes, no doubt, have largely contributed to the frequent absconding.

12. As regards the industries themselves, we have been unable to obtain—no proper records having been kept—reliable statistics of production wherewith to contrast their cost, but we have arrived at the opinion that the returns would bear a very small proportion to the cost; and their maintenance is in our opinion a material cause of the large expenditure. We may instance the case of the farm. Appended is a calculation kindly furnished by Mr. Dawson, showing the cost for 1875 to have been £935 2s.; but by a further item since discovered the cost really amounted to £1,031 1s. 7d. If the produce could be arrived at it would be found, we believe, to be out of all proportion to that sum.

13. The mismanagement of the farm is manifest to the most casual observation. If maintained, we think it should be reduced to a small dairy sufficient to supply the establishment.

Apprenticing.

14. It is a pleasure to us to be able to speak in high terms of the success of the apprenticing system, which appears to have been a main object of the Society. We append a return of the apprentices sent out from the foundation up to the end of last year, numbering 938. When it is thought of the great good achieved in providing for the future of so many hundreds of destitute children, the consideration goes far to counter-balance the defects that have come to light in the internal management, and should be a source of just pride and satisfaction to the founders of the Society, and to the many gentlemen who have given their time and services to the welfare of these children.

15. We, think however, that there is room for improvement even in this branch of the administration. The Society should provide for a more effective surveillance

surveillance and protection over the children whom it has apprenticed. This could be accomplished by appointing more travelling agents, being also collectors; and we think that the object sought could at the same time be obtained with benefit to the finances, inasmuch as the present collector in a tour through a portion of the country, gathered contributions amounting to £490 at an inconsiderable cost for travelling.

16. A change should be made in the mode of allotting apprentices. Applications, when eligible, should be dealt with according to priority, and a suspicion of favouritism, which has been a cause of complaint, would thus be removed.

17. The staff is ill-organized, and comprises some unsuitable persons. Special ^{The staff.} qualities, perhaps not readily to be met with, are very necessary in the management of young children. It should be aimed at to provide for the children being under the charge as far as practicable of the same persons in the different phases of the daily duties and recreation as well as in the dormitories, and that such persons should have the faculty of companionship with the children. The staff should be recast upon this basis, and the abolition of some of the petty offices would enable the Directory to provide the qualified class of persons indicated without increase to the numbers. At the same time, by remodelled arrangements within the building, the separation of the children into smaller divisions as above referred to could be effected. These, however, are changes that can only be carried out in detail by the Directory or a Board of Management.

18. The admitted defects of the Asylum are largely and, we believe, in a degree, justly attributed to the declining health of the Superintendent, and to his not having had the aid of a competent assistant. This necessity is so apparent that there is no need to dwell upon it. We think it to be unparalleled that so large an establishment, numbering 43 officers and servants, should practically have been conducted under the personal directions of one head without a gradation of authority, and also that it should have been conducted substantially without rules. For these requirements it was the province of the Directory to provide, and the fact of no such provision having been made seems to us to transfer much of the blame for what has taken place, and the state of things that has grown up, from the staff to the Governing Body.

19. The objectionable practice of two boys sleeping in one bed should be at once discontinued.

20. The store rooms are scattered and inconveniently situated. They are ^{Stores and supplies.} dirty and ill-managed. Whether there has been the waste of provisions alleged or not, there has been great laxity in dealing with them. We think that all the supplies should be obtained by tender duly advertised, the clothing and bedding under contracts for three years, so as to admit of the importation of suitable uniform articles from England.

21. Objections of a similar character could be taken to the laundry and other branches.

22. There has been no sufficient reason shown for continuing the Sydney ^{Sydney Office.} Office. An Accountant at the Asylum with an assistant could take also the duties of Clerk and Storekeeper. Besides, then, the keeping of the accounts of expenditure—the only accounts now really producible—there could be a proper supervision of the use of the stores and supplies, and a reliable record of the value of any internal productions, neither of which now exists. By this means the real working of the Asylum could at any time be exhibited.

23. The conclusions and recommendations above put forward have been arrived at by information gathered by ourselves in evidence, and by personal examination. It will be observed that in some important matters our opinions coincide with those of the Society's own Sub-committee of Inquiry. But none the less do we think it necessary to set forth our own views. When they do so coincide with those of the Sub-committee, additional weight would attach to either.

24. While upon this subject, we think it right to point out that we have it in the evidence of Mr. Pearce, one of the oldest Directors and House Committee-men, that many of the defects were known to the House Committee, but their action to remedy such defects was hampered by want of means because of the Bank overdraft.

25. Having endeavoured to exhibit the actual state of the Institution, we have now to express our own opinion that it has reached a condition of disorganization that nothing less than a radical reform can set right, and that reform must be looked for in a reconstruction of the Governing Body.

26. There can be no room for a difference of opinion as to the present Directory, especially having regard to the large number of Life Directors, being cumbrous and unwieldy; and it is to the very dimensions of the Board that we attribute the sectarian collisions which have unhappily taken place, and which have led to constant dissensions in which the real interests of administration have been overlooked, at the same time in their effects bidding fair to alienate the Roman Catholic community from the Society.

27. The chief and primary cause of the dissensions above mentioned was the removal of the Roman Catholic altar from the schoolroom, and the consequent necessity for taking the Roman Catholic children an undue distance to service on Sundays. While the mode of introducing the altar was open to question, and the action of the Board was probably in part influenced by that consideration, we are of opinion that no real difficulty surrounded the matter had it been approached with a desire for accommodation on either side. There was, and is, no difficulty whatever in respect of a movable altar being used, and the Directory are answerable for the endless and hurtful contest that has taken place. We append copies of the minutes of the Board meetings, wherein this subject was dealt with: on one occasion approving a compromise, and on a subsequent occasion rescinding that approval. A perusal of the names of the gentlemen who attended on these occasions will be found to be instructive.

28. The complaint of the Roman Catholic Chaplain that the schoolmistress was appointed and retained against his wishes appears to be well-founded, inasmuch as By-law No. 11 directs that—"morning and evening prayer shall be read by such officers as the Superintendent *with* the approval of the Chaplains may appoint." And by the draft rule, so far acted upon, the schoolmistress is charged with conducting religious instruction in the absence of the Chaplain. These provisions, to our minds, constitute the teacher in question in effect an assistant to the Chaplain, whose voice concerning her should have had a greater attention than appears to have been extended.

29. It seems to have been unintentional that no Roman Catholic attendant was employed in the hospital, but that cause of complaint has now been removed.

30. The mode of re-constituting the governing body appears to us to present two alternatives—

- (1) A diminution of its size by a material reduction in the numbers of the Board itself, and a corresponding reduction in its House Committee.
- (2) To replace the Directory by a Board of Management consisting of not more than nine members.

31. Failing the adoption of either of these proposals the transfer of the Institution to the Government will become inevitable; but could not be accomplished without special legislation. Such a result would not be, in our opinion, acceptable to the public contributors, nor to the representatives of those who have so handsomely endowed the Society as a voluntary Charity, unless it should become evident to them that the Society cannot, through failure either in administration or means, be continued on its original basis. It would also follow that there would be thrown upon the public revenue the proportion of the charges of maintaining the Asylum now contributed by private charity.

32. Our conclusion, therefore, is in favour of the second stated proposition. We believe that a Board such as suggested should succeed in the management of the Asylum; and in its limited numbers there would be less field for sectarian discussions. In this proposition we have the valued support of the testimony of the President, Sir Edward Deas Thomson. We think it well to attach a digest of the evidence upon this subject—the most important that has been under our consideration—which, it will be seen, largely preponderates in the direction of the change proposed.

33. The Board of Management we would propose to be elected by the subscribers. It would be of a dimension not necessitating the delegation of its duties to a lesser body in the nature of a House Committee, and could be conveniently formed into sub-committees for special purposes. We have considered the question of the Government being represented on such a Board; but we do not think that it would be desirable, inasmuch as the presence of representatives in a minority could give the Government no real controlling power beyond that which it now possesses. The Government has at all times the means of inquiring into the management, and the influence

influence to bring about necessary reforms. It further appears to us that the placing of Government representatives on the Board would be importing into the management an undesirable dual responsibility.

34. In the reconstruction of the Governing Body, some honorary distinction might be found in lieu of the existing position of Life Director.

35. When the Governing Body may have been re-constructed, we think it very desirable that an endeavour should be made to induce the lady visitors to resume their visits and to re-form their Committee. The influence of the kindly visits of ladies must have a beneficial influence on young children; and the interest thus shown could not but have the effect of encouraging the persons in charge in the performance of their duties, and in their exertions to promote the welfare and happiness of the children.

36. While we have felt bound, in the discharge of the duty cast upon us, to comment unfavourably upon the administration of the institution, we trust that we may not be taken to ignore the great good that has been achieved through its agency, or the valuable services of the gentlemen who have given so much time and labour in its interests, among whom we would distinguish the late and present Honorary Secretaries. It seems to us that the defects in the administration have mainly grown up through the constitution of the governing body as it has developed itself, rather than through the action or default of the working Directors.

We have the honor to be, Sir,

Your most obedient Servants,

HAROLD MACLEAN.
HOULTON H. VOSS.
GEORGE FULLERTON.

Sydney, 2nd June, 1876.

EVIDENCE

TAKEN BEFORE THE

BOARD OF INQUIRY INTO THE CONDITION OF "THE SOCIETY FOR THE RELIEF OF DESTITUTE CHILDREN."

RANDWICK, 6 MARCH, 1876.

Present:—

MR. M'LEAN, IN THE CHAIR.

MR. VOSS,

MR. FULLERTON.

The by-laws as to the class of children to be admitted have been regarded by the directors as satisfactory—no difference of opinion has arisen about them. A question arose as to the reception of illegitimate children. Legal opinion was taken in 1868, and from that date they have been admitted. I hand in the opinion of Sir William Manning. (*Appendix B.*) Referring to the admission Register Book, there were, on December 31, 1875, twenty-five children in the institution known to be of illegitimate descent, twenty-one of whom were received from and paid for by the Government; and only four were admitted by the Committee.

G. F. Wise,
Esq.,
Hon. Sec.
6 Mar., 1876.

A child abandoned by its parents and taken up by the police would not be received into the Randwick Asylum; the reason is because the policeman could not give a legal surrender of the child.

The only children ineligible for admission are those under the age of four and over ten, and those who have either lost both parents or the father only. In cases of peculiar emergency the house committee decide. Before admission every applicant must fill up the application for admission, and the application must be certified by a clergyman or by a magistrate; very strict inquiries are instituted by the house committee; the applicant appears in person before the house committee, and is interrogated strictly with regard to the truth of the replies in the application; each application is dealt with on its own merits; all children forwarded by the Government are received, unless it is found that the Government has been deceived.

If the answers are not satisfactory, however, local and personal applications are made by Mr. Coulter, the collector; this rarely occurs. If Mr. Coulter is away, an officer of the institution is employed for this purpose.

In my opinion the present system is effective to prevent imposition.

Children suffering from any cutaneous infectious or contagious disease are not admitted. (By-law No. 6.) I think that, notwithstanding our hospital accommodation, the by-law No. 6 is absolutely necessary for the welfare of the children.

When children are drafted from the Benevolent Asylum, I am one of the sub-committee nominated to be present at the examination of the children by the medical officers of the Randwick and of the Benevolent Asylums.

The last draft from the Benevolent Asylum was on the 17th of January, 1876, when fifty children were received.

Children are occasionally refused admission by the medical officers. I cannot give any percentage of the children refused. It is very rarely that the medical officer refuses to receive children from the Benevolent Asylum, and then only for a time.

There has been no material obstruction under by-law No. 6.

The difficulty of apprenticing is the reason why deformed or epileptic children cannot be received into the Asylum.

If by-law No. 6 were annulled there would be little difference in the number of children received. It was made before the Catherine Hayes hospital was built.

In my opinion I think it would be better if all the children over four years of age were sent by the Government direct to the institution, instead of sending them through the Benevolent Asylum; and that none over four years of age should be admitted into the Benevolent Asylum. It would effect a considerable economy in favour of the Benevolent Asylum; and would be of advantage to the Randwick Asylum.

I am not aware of any restriction as to the children to be received into the Benevolent Asylum.

From four to nine years of age the children are entirely in school; from nine to thirteen they are available for labour as well as school. They are employed at labour in alternate weeks. During the last three or four years in the institution the boys have half-time schooling and half-time labour; the girls, half-time schooling and half-time house work.

They are considered to be ready for apprenticing at twelve years of age, unless physically unfit.

On 31st December, 1875, the applications for apprentices were in advance of the supply by 207. The applications are always largely in advance, notwithstanding that during the last two years 223 children have been apprenticed.

The Act of Incorporation directs that children shall not be apprenticed until they have attained twelve years of age.

I hand in a return of the children apprenticed from the formation of the Randwick Asylum to the 31st of December, 1875.

Applicants' names which are approved are entered in the register book. Applications from masters personally known to the directors, and recommended by them, are marked "special," and when so marked they have a priority over all others. The allotment of the child is left with the Superintendent, without any directions from the house committee.

Priority of date is generally regarded in allotting apprentices to the *special* applications.

The Superintendent has no special instructions to guide him in allotting the children eligible for apprenticeship.

Persons who have had apprentices from the Asylum constantly apply for more apprentices.

If

G. F. Wise, Esq., Hon. Sec.
6 Mar., 1876.

If an apprentice absconds, the master is directed to take out a warrant. Very little trouble is occasioned from breaches of agreement, either by masters or apprentices. The memorandum (see *Appendix C*) will show the number of apprenticeships which have fallen through since January, 1869.

The apprentices' fund was established at my suggestion in 1870. From that date until December 31, 1875, 104 children have closed their six years apprenticeship, and to them was paid the sum of £1,893 10s. 5d., being the two-thirds of wages paid to the institution on their account by the employers. On December 31, 1875, the amount to the credit of the 517 apprentices serving their six years apprenticeship was £2,365 1s. 1d. There will shortly be added to the fund the further sum of upwards of £700, being the amount charged to employers for wages due by them to their apprentices up to December 31, 1875.

GEORGE F. WISE.

SYDNEY, 8 MARCH, 1876.

Present:—

MR. M'LEAN, IN THE CHAIR.

MR. VOSS,

MR. FULLERTON.

G. F. Wise, Esq., Hon. Sec.
8 Mar., 1876.

I saw in the newspaper that Mr. Forster had asked in the Legislative Assembly about the beating of a boy at Randwick; I sent Mr. Coulter to Randwick to ask for information as to this boy having been beaten; he returned with a letter from Sproule denying that he had beaten the boy; this letter was countersigned by Mr. May, saying that he believed Sproule's statement was correct; I forwarded this letter to the Colonial Secretary. On Monday, January 17, following I saw Mr. Fosbery, who told me of three boys having been shamefully beaten, and picked up by the police; one boy told me that Craddock held his legs while Sproule beat him. I immediately went to Randwick and saw Sproule; he declared that he had never beaten one of them. I found that the boy told falsehoods, which led me to doubt the whole story, for he said that Craddock held his legs; now Craddock was absent at the time alleged; the Superintendent had no knowledge of any one of the children having been beaten; Sproule solemnly declared that he had never beaten any one of the children; I directed the Superintendent to inquire from other boys as to truth of Sproule's statement, and to inform me by special messenger on Tuesday morning. On my return I told Mr. Fosbery what I had done and heard; I also met Mr. Pearce and Mr. John Davies, and told them what I had seen and done. On Tuesday morning I received a letter from the Superintendent informing me that he had discovered that Sproule had beaten the boys; I immediately, on my own responsibility, proceeded to the Water Police Office, and laid an information against Sproule, and at my request a constable was immediately sent to Randwick to serve the summons for the following day; I then issued circulars to the house committee to attend a special meeting at 2 o'clock on the following day (Wednesday). On the Wednesday morning I appeared at the Water Police Office and prosecuted—this was in the case of Ferney; Sproule was found guilty, and sentenced to four months imprisonment. At the special meeting of the house committee at 2 o'clock I reported the action I had taken in the matter; it was fully approved of. I hand in a copy of the minute of the house committee approving of my action in the matter, marked D (*vide Appendix*). I subsequently, in the afternoon of the same day, again reported the whole of the circumstances to the Board of Directors, and I hand in their minute of approval, marked E (*vide Appendix*). At the request of the President, the Hon. Sir E. Deas-Thomson, a special meeting of the Board of Directors was called for January 25, when a committee of inquiry was nominated. I have no specific authority to act for the directors on my own responsibility, although on several occasions I have felt myself called upon to do so, always having been careful to report any action at the next Board meeting. When I act on my own responsibility I am always obeyed by the officers, and in all instances my irresponsible actions have been approved of. I have found that my authority as secretary has been sufficient for the purpose. I do not consider it advisable to enlarge the powers of the honorary secretary. A minute marked F (*vide Appendix*) has been passed by the house committee and confirmed by the Board of directors, which is to the effect that whatever order is given by the honorary secretary or by the honorary treasurer is to be obeyed.

A code of rules for the internal management of the institution was doubtless made at the founding of the institution. I can give no information with regard to them. There is in print a proposed code of rules which have not yet received the approval of the directors; they have, however, been acted upon for several past years. The old code of rules is embodied in the printed ones which have not yet passed the Board of Directors. In the proposed code the rule as to punishment is that no subordinate officer is allowed to punish any of the children, and no corporal punishment except of a trifling nature is to be administered, without the authority of the Superintendent. I cannot state whether this regulation was contained in the old rules. The slight punishment which the subordinate officers were allowed to inflict has been inflicted by a cane. More serious offences have been brought before the house committee, and by their orders punishments have been inflicted. If the attendants had done their duty the stripes inflicted on the three children would have been discovered, had they not absconded before they were bathed. Sproule was an attendant, and Craddock was an assistant schoolmaster. An attendant is less authorized to inflict punishment than a schoolmaster. An attendant is rated as a servant. Since Sproule's dismissal the committee have appointed two attendants in his place.

I am of opinion that many of the injuries reported by the Inspector of Public Charities were inflicted by the boys themselves. I have no doubt that undue and numerous punishments have been inflicted. I do not consider that these evils could have occurred consistently with an efficient staff. I think that the organization of the staff is good, if the discipline had been strictly kept up. According to the present practice all the authority is vested in the Superintendent; he is responsible for the full and effective discharge of all the duties of the various officers connected with the institution. There is no assistant to the Superintendent, and no gradation of authority. The Superintendent is charged with the personal direction of each of the officers. There is no provision for assisting the Superintendent or of exercising his delegated authority, except to the Matron, in small matters. Each of the officers employed in the establishment may be in direct communication with the Superintendent. I think that there

are

are some of the inferior officers from whom the Superintendent would not receive a direct report. The female staff I consider to be specially blamable for not having reported the flogging to the Superintendent. I do not think that the matron has sufficient authority over the female staff to render her answerable for their defaults in not reporting the punishments, as the sub-matrons are expected to report direct to the Superintendent. I am not familiar with the duties of the staff. There is the same number of officers now for 618 children as formerly when there were 800 children. I doubt whether it would be necessary to increase the staff even if there were 1,000 children. The remuneration to the officers and servants has been well considered by the committee, and I do not think that any material reduction can be made. I consider that the laxity of discipline to which I alluded has probably arisen from the continued ill health of the Superintendent. As a rule I think the officers are well selected and generally efficient. There may be inefficiency in a few cases, but not of such a marked character as to necessitate their discharge.

GEORGE F. WISE.

G. F. Wise,
Esq.,
Hon. Sec.
8 Mar., 1876.

SYDNEY, 10 MARCH, 1876.

Present:—

MR. M'LEAN, IN THE CHAIR.

MR. VOSS,

MR. FULLERTON.

The average weekly attendance of members of the house committee has been about nine. The committee meet at 3 o'clock, and generally sit about two hours. The committee seldom personally inspect the details of the institution—they rarely go beyond the committee room; I have never known the committee to inspect the progress of the children, either in school or in labour. There is no inspection of the schools, except at the annual examinations. The school Inspectors under the Council of Education, held annual examination on several occasions, but last year they were not able to do so. I do not consider that a girl can be taught to become a good cook, because all cooking within the institution is necessarily done by machinery. And with regard to the washing, there being 500 dozen per week to wash, a girl can hardly become an accomplished laundress, the greater portion of the labour being necessarily performed by machinery. About twenty boys, in the last two years, before being apprenticed, are taught shoemaking, and fitted for apprenticeship; a few are engaged as engineers and carpenters; half of the remainder of the boys above the age of nine are engaged as farm labourers, and as cooks and bakers. The total number of the boys over nine is 177. There are no boys unemployed. Lately the boys over nine are employed in half labour and half in school.

There is no plan of the premises. The property contains 100 acres, which are laid out to the best advantage.

The boundary fences do not prevent the children from absconding. The committee have frequently received complaints about the children's conduct in the neighbourhood in stealing fruit and fowls. I do not know whether the children are locked in the dormitories. They generally break bounds in the afternoon from the playground or farm.

The male children sleep two in a bed. This practice has frequently been disapproved of.

I am not a paid officer of the institution. I hand in a memorandum (*Appendix G*) showing the allowance made by the Board of Directors since 1859, to cover necessary expenses incurred by the honorary secretary.

In my opinion it would be desirable to have a less number of directors; as many as from twenty-five to thirty often meet at the monthly meetings. I think that the life-directors might with advantage be entirely omitted from the Board of Management. I would reduce the directors to fifteen members, from whom might be elected a house committee of five, exclusive of hon. treasurer and secretary, who are *ex officio* members of both the house committee and of the Board. I do not think that the Government should be represented in the committee—their power of the purse is a sufficient check.

GEORGE F. WISE.

G. F. Wise,
Esq.,
Hon. Sec.
10 Mar., 1876.

RANDWICK, 13 MARCH, 1876.

Present:—

MR. M'LEAN, IN THE CHAIR.

MR. VOSS,

MR. FULLERTON.

I have been Superintendent of the institution since 1858; I had previously been for a short time the paid secretary; I have quarters, servant, and rations, as do all the officers of the institution; I think that the present arrangements are effective to secure the admission of the class of children for which the institution is designed, and to prevent imposition; the same system of admission in force now was in force for a short time before the Royal Commission sat; persons interested in the institution have expressed opinions to the effect that children had been unduly admitted; I have not heard any such opinions since the present system was adopted; instances have occurred when the house committee have laid information at the Police Office to compel payments on account of maintenance, but there was a doubt as to our power to enforce the contract under the old Act of Incorporation; since the passing of the present Bill the directors have avoided levying a distress for a child's maintenance; there are many cases in which the parents cannot contribute,—in such cases the directors take no steps whatever; the directors often refuse to give up a child until the payment for maintenance has been made; No child suffering under the diseases specified in by-law No. 6 can be admitted either from the Benevolent Asylum or otherwise. In a very few instances have children been refused under this clause; probably not one per cent. of the applicants. When children are refused, those under charge of the Government are sent back to the Benevolent Asylum; those under private care are sent back to their friends. Having reference to our hospital arrangements, I do not think that any real harm would accrue to the institution if by-law No. 6 were abolished. I see no reason why children over 4 years of age, sent by Government should

Mr. May,
Superintendent.
13 Mar., 1876.

Mr. May,
Superintendent.

13 Mar., 1876.

should not be admitted direct; great inconvenience has been caused by the large drafts sent from the Benevolent Asylum. It would be better for the institution if they came direct, and better for the children, who are detained an undue period in the Benevolent Asylum. A great number of applications have lately been refused by the house committee. I think the increased number of refusals is owing to the improved circumstances of the people, and to the present system of examination of the committee. The present number of children is 620; there has been as many as 850—this was in the year 1871. We could not well accommodate more than 850. The internal classification is as follows:—Among the elder boys and girls there are two divisions, termed the 1st and 2nd. The 1st division of girls are classed between 9½ to 13 years of age. The 2nd division of girls are between the ages of 7 and 9½. The boys are classed on the same principle. The infant divisions are classed in the same way; the first division of infants from 5½ to 7, the 2nd from 4 to 5½. We receive children at any age between 4 and 10. On a child being admitted, he is washed, his clothing is changed for the uniform of the institution, his name is placed in the books, in which his age, religion, and number are recorded. He remains in the infants school until the age of 7. The infant rises at about 6 o'clock, he takes breakfast at 7:30, prayers, play until 8:30, 11:15—12 o'clock school; dinner 12:30, play until 3 o'clock, school 3 to 4 o'clock, 5 o'clock tea; bed about 7 o'clock. Educationally, the children in our infants school are fully up to the standard in public schools. When the infant reaches the age of 5½, he gets about an hour's more schooling in the day. At the age of 7, the infants can read words of one syllable; can write, and they know the elements of arithmetic. At the age of seven years the child, if up to the required standard, is transferred to the 2nd division of the elder children; he wears a different uniform, is placed on a different mess, and is put in the 3rd class in the primary school; he now receives five hours schooling; he goes to bed about 7. This boy does no labour until the age of nine and a half, when he can read and write, do arithmetic well, and can write English dictation tolerably. Up to this point there is little difference between the boys and girls. From nine and a half to, apprenticing the boy's life is the same, except that half his time is devoted to labour; he goes to school and labours in alternate weeks.

I find from experience that the alternate weekly system is the best. There are 6 boys employed in the kitchen and the 2 boys in the bakehouse; shoemakers, 7; tailors, 5; carpenters, 2; 1 store boy; 1 gate boy; yards, 4; boys cleaning knives, forks, and spoons, 5; engineers, 2; home garden, 9; farm, 20. This gives a total of sixty-four boys who are at the present moment being employed in labour. With the exception of cooking the girls are qualified to be domestic servants. The apprenticeships of the girls has given satisfaction. There is as much done as possible to teach them cooking. We do change the boys from one occupation to another; it is not the practice to keep the boys at one employment. There are few applications for boys trained to particular crafts; three-fourths of our applications are for agricultural service; we very seldom have applications for trades. I find that changing the boys from one occupation to another tends to make the boys self-reliant. It would be an advantage to the boys themselves if they were brought up to trades, but we would have great difficulty in disposing of them. The boys we apprentice at about the age of twelve and a half; sometimes I keep a child back if behind the standard in education.

The medical officer certifies to the physical capacity. The house committee are chiefly influenced by personal knowledge in dealing with applications for apprentices. Applications for apprentices are entered into the register according to date. The register is available for inspection when the house committee pass the applications. I am authorized to allot the apprentices. Priority is given to applications marked "special" by the house committee. Applications are marked "special" in consequence of personal knowledge by some member or members of the committee, or for other reasons. We generally have more special applications than there are children ready to go out.

When the "specials" have been filled up, the remaining ones are generally filled up by priority of date. Some applications are entirely rejected and kept out of the register. "Special" applications are not dealt with by priority of date, but by an understanding of the wish of the committee, and in some cases with reference to the special fitness of the child. There have been cases of representations being made by applicants complaining of being passed over in favour of other applicants. On the whole, I think, the system of apprenticing is a great success. Apprentices from the institution frequently correspond with me. I hand in several of the letters. The amount of money coming in from the employers, and the gratuities awarded for good conduct at the expiration of their indentures, show that our apprenticing system is a success. Each apprentice takes a little book of instructions, and if a Protestant, a Protestant Bible, and if a Catholic, a Catholic Bible.

The only authorized rules of the institution are dated August 9, 1863, and are hung up about the institution. There is an additional code of rules in print, but they have not yet passed the house committee, which have for the last six or seven years been in operation. These latter rules were drafted by myself. There are now no standing orders issued in writing by me. At one time I did keep an order book, but objection being taken I discontinued its use. In the order book there is an order, with the authority of the house committee, about punishment, which I hand in. (*Appendix O.*)

I am familiar with the facts disclosed in the reports of the trials, and of the report of the Inspector of Charities, with regard to the unwarrantable and frequent infliction of corporal punishments upon the children, and I cannot account for those punishments having not been detected and arrested, except on the supposition of gross negligence on the part of the officers and assistants charged with the inspection, or of their wilfully concealing the facts. Of the persons charged with inflicting the punishments, not even Craddock, who was assistant schoolmaster, was empowered to inflict any corporal punishment at all. During the whole period in which these things were alleged to have taken place I was under medical treatment, and was unable to attend to my active duties. The staff however had full access to me. I received no report of these occurrences from any officers. I cannot see how the marks on the children's bodies could have escaped the notice of the assistant matron, and her assistants, whose duty it was to see the children bathed and to examine their bodies. It is also the duty of the matron to supervise the carrying out of these duties. Several of the boys, the marks on whose bodies were reported by the Inspector of Charities, could not properly have escaped observation. Their cases should have been reported to me. I cannot account for the children themselves not having complained to me personally, unless it was in consequence of the infrequency of my visits at this time. I feel sure that unless by intimidation being brought to bear upon them, the children would not have been afraid to come to me; I fear that this was the case. It is the duty of the matron and assistant matrons to report to the medical officer all delicate or injured children. A child bearing cane marks on its body ought to be reported

reported to me. When a child comes into the hospital, its body is always examined if the attendant does her duty. I recollect seeing bruises on the bodies of three infants on the occasion of the visit of the Inspector of Charities; those bruises ought to have been reported to me. It is the duty of the sub-matron and her assistants to see the children properly put to bed. The infants sub-matron's name is Mrs. Pollack. It is their duty to see the infants properly washed; the infants are stripped three or four times a week. It was their duty to report to me, no matter by whom or how these bruises were inflicted. Had the injuries been inflicted by any of the children themselves, it could only have been done without the knowledge of the officers in the playground. With regard to the older boys, the allegations that the marks were inflicted by some of themselves could only be true on the supposition that they were inflicted on the playground, where there was only one attendant to take care of between 200 or 300 boys; but since these occurrences there have always been two attendants. I consider the presence of two attendants sufficient to prevent the boys maltreating each other. I think that few, if any, of the injuries reported were inflicted by the boys. When a boy deserves punishment I give instructions myself. The punishment is always administered under my own supervision. With the exception of trivial punishment inflicted by the schoolmaster, schoolmistress, or matron, this is the whole extent of punishment allowed. I have ordered only six or seven corporal punishments during the last twelve months. The faults corporally punished are usually running away, lying, theft, or acts of immoral conduct. My usual mode of punishment is by moral means, or by a distinctive dress, sending to coventry, or by curtailing their food, or by depriving them of their weekly walk.

I cannot account for a boy 11 years of age not being able to read, except on the hypothesis of mental deficiency.

J. M. MAY.

Mr. May,
Superintendent.
13 Mar., 1876.

THURSDAY, 16 MARCH, 1876.

Present:—

MR. M'LEAN, IN THE CHAIR.

MR. VOSS,

MR. FULLERTON.

There is no supervision beyond my own to see that the boys are properly taught by the schoolmaster and tradesmen; I give close personal attention to the children; I know most of the children individually, but not all their names. Some members of the house committee visit different parts of the institution on Wednesday. If the children were not progressing, the house committee could not discover the fact. I think that visits from the Public School Inspectors might be of advantage to the children.

I think that the supervision in the dormitories is scarcely sufficient. The supervision is not kept up during the night. The dormitories are lighted at night; I think the arrangements in the dormitories as far as supervision is concerned might be improved.

I think it is very undesirable that the boys should sleep two in a bed. It would be practicable to exchange the system at some moderate expense.

I think that the playgrounds are very much exposed, and that the soil is very bare. I think that such an uncomfortable playground has a very depressing effect on the children. I think that on the south side the playground might with advantage be extended into more cheerful grounds; I think that there would be less of breaking of bounds if the grounds were made more cheerful, and there would be fewer complaints from people in the neighbourhood. I think that a 10 ft. galvanized-iron fence round the playground would be sufficient, and would also be comparatively inexpensive. It would be a great advantage if there were a plan of the house and grounds.

During the raging of epidemics the hospital has been overcrowded.

I think it would be a great advantage to the institution if subscriptions were collected by travelling collectors and local agents, who would at the same time exercise a supervision over the apprentices. When I was at Goulburn two years ago, I collected twenty-two cows for the institution, through a resident.

Each officer and servant can and does complain to me, and asks for orders direct; the matron, however, has authority over the three sub-matrons, and over all the female servants and seamstresses; the sub-matrons have authority over the attendants; among the male officers there is scarcely any gradation of authority under me; when the boys are in the playground the male attendants are answerable to the assistant schoolmaster; the assistant schoolmaster has supervision over the boys when not in school; the late assistant schoolmaster was fined for flogging the children.

I think alterations might be made to establish a gradation of authority under me; I think that one effective and responsible assistant would be of great service to the institution; a great deal of my time is taken up at my clerical duties and with the public; I have contrasted our staff with the staffs of similar institutions; I think our staff is below the average in number and cost; I do not think that the staff could with advantage be decreased, although it would be sufficient if we had 200 more children; since the late disturbances we have had to appoint one more attendant; I do not think that the number of attendants is sufficient; I think that four male attendants are required to exercise sufficient supervision, and to abate the evils complained of inside and outside the grounds; on looking through the list of officers and servants I do not think that the number could be reduced with advantage to the institution; the house committee appoint the lesser officers, I nominate the servants for their approval.

I consider that the male portion of the staff is efficient. In dealing with the officers and servants I receive every support from the house committee. I find it difficult to establish amongst the female officers that zeal which is so necessary in an institution like this. Before an officer would be removed, his or her case would be much discussed by the house committee. I never found any resistance to my authority in dealing with the officers. The hospital staff includes the most efficient and zealous officers in the institution.

I do not see how any reduction can be made in the female staff. As to the town office in Pitt-street, the public hardly know of it, and come here instead; a great deal of the correspondence is addressed here. I consider our office in Pitt-street to be scarcely necessary. In my opinion, the offices of accountant, clerk, and storekeeper, might be combined with advantage;—as it is, the accountant has to come here twice a week, and to keep certain books here. The accountant is employed entirely for this institution.

The

Mr. May,
Superintendent.
16 Mar., 1876.

Mr. May, Superintendent.
16 Mar., 1876.

The lady visitors formerly formed themselves into a committee, this committee has not sat for some years. With few exceptions the lady visitors on this list do not visit. That committee kept a book, and was supposed to make suggestions to the house committee. The lady visitors are nominated by the Board of directors. I believe it was about the time of the question relating to the matron's removal that the ladies ceased to act as a committee, and then the visiting dropped off.

Two boys who absented themselves last Thursday, the 9th instant, on being brought back, told me that at one house to which they went the woman gave them money with which they bought fruit. The constable took them to the lock-up. They both received sausages and bread and butter and tea. I have been informed of this sympathy on the part of the public and police, and I know that its effect on the children is so injurious that I must call your attention to it. Since the late occurrences, the children who have run away in the uniform of the institution frequently come back in good clothing.

J. M. MAY,
Superintendent.

16 March, 1876.

RANDWICK, MONDAY, 20 MARCH.

Present:—

MR. M'LEAN, IN THE CHAIR.

MR. VOSS, | MR. FULLERTON.

Alexander Saunderson, police constable:—

A. Saunderson, Police-constable.
20 Mar., 1876.

I have been stationed in Randwick since November 21, 1874. I have had many complaints of the boys in the Randwick Institution; the complaints have been generally of theft committed by the boys of fowls and garden produce, and also of mischievous destruction; I have received several complaints from the late Mr. James Pearce. The general feeling on the part of the complainants is not to give the delinquents into custody. In Mr. Pearce's case the boy was given into custody; I brought him to the institution, in company with Mr. Pearce. Two other boys had been seen with the prisoner in the garden; I wanted to get their names, but the Superintendent would not give their names, and was disinclined to give me any assistance. No one from the Randwick Institution attended to give evidence at the Water Police Office. The Superintendent also prevented the prisoner from revealing the names of his accomplices. I have also had complaints of a similar nature from Mr. S. H. Pearce, Mr. Thos. Napper, and Richard Lloyd. Mrs. Mooreman said that she was paid 17s. 6d. by the Superintendent, as compensation for damages. I had a complaint from Andrew Byrnes, of the New Market Stables, who had pigeons stolen from him. Mr. James Powell, J.P., a director, stated on the Bench that it was no use complaining about the boys to the Superintendent. I have also received complaints from several other persons, who have since left. When I received complaints, I offered to do all in my power to capture the boys, and to proceed against them. I made no representation to the Superintendent since the occasion on which he first refused to assist me. One of Mr. Lloyd's cases was about three weeks since. He brought the boys to my house, but I was away. He took them to the Asylum. The general feeling is against going to legal extremities against the boys. The depredations were usually committed on Sundays during service time, and between 5 and 6 in the morning. The number of boys alleged to be so engaged has been from three to twenty. The larger number would be on Sundays. I have seen large numbers of boys idle about the farm on Sunday, not being in the charge of anybody, on week-days the same. I have had complaints almost weekly, but mostly from the same people. W. B. Harris, who was employed here as baker up to a fortnight ago, offered me what provisions I could use for myself and wife and family, for 2s. a week. He repeated the offer on two occasions. On the second occasion I asked Harris how he could get that quantity of food. He told me that the Superintendent allowed him to get as much as ever he wanted. I spoke to Mr. Powell, a director, mentioning the circumstance without revealing the name. He said that the rations were entirely in the Superintendent's hands. I also spoke to the late Mr. James Pearce; he gave me the same answer in substance. I also reported the matter to Mr. Sub-inspector Robinson, but he died about a month after. This is the first time I have reported Mr. Harris's name to anybody except to my superior officer. I have seen bread and meat thrown from the houses of the baker and of the male attendant, to feed the fowls. All this has been stopped since the late disclosures. I have asked the boys if they got enough to eat, and they always said they did. Outside the playground there is nothing to prevent the boys going where they like. From my observation of the children I would not form the opinion that they have been harshly treated. I stated about the waste to the sub-committee of the directors; it has been since that time that it has been stopped. There has also been, since I gave evidence before the sub-committee, a second male attendant appointed. Since I gave evidence before the sub-committee, the complaints from the inhabitants have not been so numerous. At my recommendation the lower branches of the trees have been cut off, so that the boys who throw stones at the race-horses might be detected.

ALEXR. SAUNDERSON,
Police Constable.

Phillip Carroll
20 Mar., 1876.

I am thirteen years old; I have been here ten years; I did tell Mr. Smart about a boy having been beaten with a broomstick; the boy's name was Joseph Wallace; I saw him beaten in the dormitory by Mrs. M'Cracken; he was beaten for throwing up on the floor; it was about six months ago; he was beaten on the head at the side of the bed; he screamed; only Mrs. M'Cracken and the boys were present; it was in No. 1 Dormitory; there was one bed between my bed and Joseph Wallace; she used a broken broom-stick; she got the broom-stick out of the store; she also struck him on the back; he received about six blows on his head; he asked me to sew the buttons on his trowsers next morning; he could hardly talk then; he asked me to sew the buttons on because he was too ill; Edward Glynn slept that night with Wallace, and Coles slept with me; William Black sewed the buttons on his trowsers; when Wallace threw up, Mrs. M'Cracken came out of the bed-room in her night-dress; she got the broken broom-handle from the store; she then beat him, and after he was beaten she made him wash the vomited matter up. I have not been asked about this, except by two gentlemen, on Saturday, about two weeks ago. After being beaten Wallace came down-stairs to the muster; he was then sent to the hospital; I forget who sent him there; it was after he was washed that

that he was sent away to hospital. I know he was sent to the hospital because he did not come into school, and about 11 o'clock we heard that he was dead. He did not complain of being unwell before he was beaten. I have been beaten myself, but never with a broomstick. Mrs. M'Cracken has often beaten the children, and frequently with a broomstick. She has not used the broomstick since Wallace died. When I was beaten by Sproule I did not complain to Mr. May, because he was ill. I do not know why the boys do not complain to Mr. May. A boy named Hunt did complain to Mr. May of being beaten by White. Mr. May said something to Mr. White; I do not know what he said. When Wallace was beaten many of the boys must have heard the beating, and some of the boys screamed out.

Phillip Carroll
20 Mar., 1876.

PHILLIP CARROLL.

I was present when Wallace was beaten by Mrs. M'Cracken; I saw her beat him with a broomstick; she beat him on the back; I did not see him beaten anywhere but on the back; I was about five beds off; some of the boys screamed out, and some said that she was killing him. Wallace was a strong boy, next morning he could hardly talk. The room was lighted by one lamp over Mrs. M'Cracken's door; the beating took place three beds off Mrs. M'Cracken's door.

George Coles.
20 Mar., 1876.

GEORGE COLES.

I am twelve years of age. I saw Wallace beaten by Mrs. M'Cracken with a broomstick across the back and shoulders; he screamed loud; I have often seen her beat boys with a broom-handle; she beat Harrison since Wallace was beaten; Toogood was beaten by Mrs. M'Cracken the night that Toogood was sick; Toogood died next day; he was beaten at a quarter past 9 in the dormitory for being sick and for not wiping it up. I was beaten by Sproule; I did not complain to Mr. May, because I was afraid that Mr. May would not believe me, and I would be punished. Had he believed me, he would have put a stop to it. If Mr. May knew it he would not allow it.

Edward Burt.
20 Mar., 1876.

EDWARD BURT.

I have been here six years; I knew Wallace; I did not see him beaten; I heard Mrs. M'Cracken beating somebody; I have seen Mrs. M'Cracken beating boys with a cane in the dormitory; on the morning after Wallace was beaten he asked me to sew the buttons on his trousers, he was sick.

Wm. Blacker.
20 Mar., 1876.

WILLIAM BLACKER.

I saw Mrs. M'Cracken beat Wallace on the back of the head with a broom-handle; I do not know what time it was; Mrs. M'Cracken has beaten me with a bush stick; many of the boys saw Wallace beaten; they called out "Do not beat the boy for nothing"; she kept on beating him; I got out of bed to go to the night-pail; I thought she was going to beat me; she beats the boys that are next to the boys that are beaten; I was nearly next to Wallace; I once complained to Mr. May about Sproule beating me with a cane; Mr. May sent for Sproule; I did not hear what he said to him; I complained because I heard of others complaining; I did not complain at the time, for fear of Sproule beating me again. Before Sproule and Craddock got into trouble the boys did not complain to Mr. May because they were afraid of being beaten. I am afraid to complain of Mrs. M'Cracken beating me for fear of Mrs. M'Cracken beating me again.

Edwd. Glynn.
20 Mar., 1876.

EDWARD GLYNN.

I am twelve years of age, and have been here between two and three years; I sleep in No. 1 dormitory. I knew a boy named Toogood; he is dead; I remember when he died; the night before he died, Mary Jane M'Cracken hammered him with a broom on the back; he screamed, and was sick in the pail; I do not know what he was flogged for; I slept close to him. I saw Mary Jane M'Cracken flog Wallace; Henry Williams and Harry Blaker saw Toogood beaten; he died the next day. Lizzie O'Brien took him to the hospital. Harrison is Mrs. M'Cracken's servant. When she wants to beat a boy she sends Harrison for the stick; if he brings a small stick instead of a broom-handle, she beats Harrison. She beats boys sometimes with a cane; she hammered Ferney with the keys last Wednesday, and he was put in the hospital on Friday on account of the bruises; he was hammered for going into the wrong dormitory; after the hammering he slept with me; he cried a great deal. I ran away because I was hammered. Mr. May did not know about the boys being hammered. The boys did not complain to Mr. May, because they were afraid of being more hammered afterwards by the person who hammered them first. When we were examined in the bath-room by the matron, if she finds a mark on our bodies, and we say who did it, they say "Oh, Mr. Sproule and Mr. Craddock would not do it." Since Sproule and Craddock left we have not been beaten, except in the bed-room by Mary Jane M'Cracken.

J. Davidson.
20 Mar., 1876.

JAMES DAVIDSON

I am eleven years old; I am Mrs. M'Cracken's store-boy; I knew Wallace; I saw him beaten by Mrs. M'Cracken with a broom-handle on the side and on the head the night before he died. She sent for a stick; my stick was not thick enough; she got the broom-handle; some of the boys called out, "Don't kill him"; she often beats boys; I was often hammered; Sproule and Craddock beat me; Miss M'Cracken beat me often for not doing up the store; she beat me four nights before we heard about Sproule; she beat me for not bringing a stick instead of a broom-handle; she gave me three hits on the head and one on the leg; I did not complain to Mr. May, because she would beat me more. Since the examination of the Inspector of Charities, Mrs. M'Cracken has beat boys with a cane; she beat Stokes with the keys on the back. I remember Toogood dying; he was sickly, and had a headache for three days before; in the morning he could not walk; he slept with me the night before he died; two days before he had the headache and five days before he died he was beaten by her; he was beaten with a stick because he was so long doing up the store; she struck him on the arms, shoulders, and legs; I saw her beat Ferney; I have seen about five boys beaten in the dormitory; she has beaten me with a broom-handle eight or nine times; she sometimes pulls my ears and hits me with her fist; they do not beat the boys hardly now.

J. Harrison.

JAMES HARRISON.

J. Swanton. I saw Mrs. M'Cracken beat Harrison, and she has beaten me too with a broom-handle; she beat me on the back; she beat Francis Handswell last Saturday night with the heel of a boot on the back.
20 Mar., 1876.

JAMES SWANTON.

William Ferney, a patient in the hospital:—
W. Ferney. My age is ten years; I was beaten on Wednesday last by Mrs. M'Cracken, and Mr. May brought me here on last Friday; I do not know what she hit me with;—I think it was with her fist; the boys saw the marks next morning. The doctor ordered me here. I did not tell Mr. May myself, because I was afraid Mrs. M'Cracken would beat me again. I cried when I was beaten. Mary Tobin was in charge of the dormitory as well as Mrs. M'Cracken, but she did not see me beaten. Mr. May and the doctor did not see the bruises until Friday, which was the day we are examined.
20 Mar., 1876.

WILLIAM FERNEY.

NOTE.—This boy was examined by the Commission, and bruises were found apparent on his back.—W. W. T.

J. Handley. I was store boy with Harrison. I have seen Mrs. M'Cracken beat us with a broom-handle, if we could not find a cane when she wanted it to beat other boys. She beat me with the broom-handle about the head and back and hands.
20 Mar., 1876.

JOHN HANDLEY.

T. Connelly. I used to sleep with Ferney; I slept with Ferney last Wednesday night, in No. 1 dormitory. Mary Ann M'Cracken hit him with her fist on the back as hard as she could; I saw her hammer him; he was lying over the pillow, and she was giving it to him on his back; he cried out; I saw no marks; when the doctor looked at him he said he was much hurt. I was sleeping with Ferney; he said "Push over, she's coming." It was after the 9 o'clock bell.
20 Mar., 1876.

his
THOMAS + CONNELLY.
mark.

W. M'Grah. I slept in No. 1 dormitory on Wednesday night; Ferney and Connelly sleep in No. 2; they came in to No. 1 to play; I saw Mrs. M'Cracken hit Ferney on the back with a key, and take him into No. 2; she told Miss O'Brien to keep him in her dormitory; I saw the keys in Mrs. M'Cracken's hand; they were tied on to the end of a string. They went into beds that did not belong to them.
20 Mar., 1876.

WILLIAM M'GRAH.

RANDWICK, 22 MARCH, 1876.

Present:—

MR. M'LEAN, IN THE CHAIR.

MR. VOSS,

MR. FULLERTON.

Mr. May, Superintendent.
22 Mar., 1876. Mrs. M'Cracken is the female attendant attached to the boys division, and has supervision of the boys dormitories day and night, with other assistants. I have said in my previous evidence that the severe floggings must have been reported to me but for the intentional concealment on the part of some of the officers or servants. Mrs. M'Cracken ought to have seen the boys in the bath and undressing in the dormitories; she is one of the servants who should have discovered and reported the marks. No. 1 and No. 2 dormitories are divided by a landing, and are in charge of Mrs. M'Cracken and Elizabeth O'Brien, and Mary Tobin. Until Sproule came they were in charge of Mrs. M'Cracken and Elizabeth O'Brien. It is now the duty of one attendant to watch while two sleep, and each one is successively in charge of the two dormitories. I have not received complaints from any of the boys about Mrs. M'Cracken, nor against any other officer or servant. Friday is the day for inspection of the boys by myself and by the medical officer; this has been only so since the late cases. Last Friday I and the doctor saw bruises on Ferney's body. From inquiries I have made, I think the bruises were caused by a push from the fist; he said that the bruises were given him by Mrs. M'Cracken; I sent him to the hospital, intending to separate him from the other boys pending an inquiry into his case. Mrs. M'Cracken has been about two years here; I think she is a woman of hasty temperament, but I never saw her strike a child; I have never had any reason to complain of her; I am aware that Mrs. M'Cracken is the only female servant now in the institution against whom complaint has been made by numerous boys of cruelty to them; I think she is strict, and they are prejudiced, against her.

W. Hodnett. I am twelve years old. A few days ago Ferney came into my bed, and Connelly came into our dormitory; Mrs. M'Cracken found Ferney; she hit him with her hand several times; he screamed; she took him back to his dormitory; she took him in by the ear.
22 Mar., 1876.

W. HODNETT.

Mrs. M'Cracken, attendant.
22 Mar., 1876. I am an attendant; I have been here about fourteen months; it is my duty to see the boys undressed, to hang the towels, and to pass the boys before Miss Davis while she counts them into the bath; I have seen plenty of bruises on the boys in the bath-room by undressing, but as an officer, the sub-matron, Miss Davis, was there, and could have seen them as well as I, I did not consider it my duty to make any reports; as a matter of fact I never did draw Miss Davis's attention to any bruises. As to Ferney's case—he did not belong to my dormitory; it was not my night on duty when the alleged bruises were inflicted; I saw Ferney on the landing, and I called Lizzie O'Brien's attention to him, but I had nothing else to do with him; Ferney belongs to No. 2 dormitory; I never saw him in

in No. 1 that night; I have never seen the boy Ferney in No. 1 dormitory; I deny having struck Ferney at all; there was a noise on the landing, and I went out of my bed-room and called Lizzie O'Brien; I reported the noise to Miss Probert; she said, "As Lizzie O'Brien is up there go and see after Miss Tobin," and she sent me to tell Miss Tobin to go up; there were a lot of boys on the landing when I particularly saw Ferney, they scrambled away.

Mrs.
M'Cracken,
attendant.
22 Mar., 1876.

MARY JANE M'CRACKEN.

I am the female attendant in No. 2 Ward; it is my duty to see the boys undressed to the waist in the morning; I have seen marks on boys a few times; I have always reported them to Miss Davis; I consider it my duty to report such cases; I do not know what was done by Miss Davis in the cases I reported; I have a better opportunity of seeing bruises than Miss Davis has; I saw bruises on the boys a long time ago; I have never had any orders, nor do I think I have received any orders as to our duty in this respect; I did not see the marks of the beatings inflicted by Sproule and Craddock, as the boys ran away before I could see them. On Wednesday or Thursday night, I think about 10 o'clock, I was in bed, I heard a scream, immediately after the scream Mrs. M'Cracken came to my dormitory door, and said "Are you asleep?" I said "No; what is the matter?" she said, "The boy Ferney is out of your division, you had better put him to bed"; Mrs. M'Cracken said to Ferney, "Go to bed;" I said, "Never mind, I will put him to bed;" there was nobody about except Mrs. M'Cracken and Ferney; she was standing at the door; I said to Ferney, "Why did you leave your dormitory?" he said, "For fun"; the scream I heard was the scream of a single voice, I cannot say whether it came from the landing or from No. 1 dormitory; it was an unmerciful scream; I think it was the voice of Ferney; Ferney screams often without being hit; when I threaten to report him to the Superintendent he will scream without my hitting him; I have given him sometimes a slap with my hand and he always screams; had the bruises been on the boy Ferney before that night I must have seen them when he was washed; there had been no row on the landing; I did not hear any noise either on the landing or in No. 1 dormitory; when I came out on the passage I saw nobody except Mrs. M'Cracken and Ferney; directly after I heard the scream Mrs. M'Cracken brought the boy; it was then that I did not see any one else about; formerly I had very little trouble in keeping my boys in order; since the late disturbances I find it almost impossible to do anything with them; I never received any orders about punishments; I thought I was justified in giving a child a box on the ear or in using a cane, but formerly there was very little occasion; lately I have received an order from the Superintendent that I was not to administer punishment, but I was to report cases deserving punishment to him.

Miss O'Brien,
attendant.
22 Mar., 1876.

LIZZIE O'BRIEN.

I remember that the boy Ferney was taken to the hospital on Friday last; either the night before that or the previous night Mrs. M'Cracken came to me and said, "The boys are noisy in the dormitory, and Mary is not on duty"; I did not gather from her that there was a general disturbance, or I would have gone myself; I took Mrs. M'Cracken's complaint as against Mary Tobin rather than as against the boys; I have never seen Mrs. M'Cracken severe on the boys; I am matron of this establishment; I have complete and ample authority under the Superintendent over all the female officers and servants; my authority is in no way hampered; I know these rules which are produced;* I have a general authority under the Superintendent over the male officers and servants as well as over the female; I consider that I have sufficient authority to work the place; I have heard reports of the excessive punishments. The inspection of the boys' persons lies entirely with the female officers; none of the marks and bruises inflicted on the thirty-four boys referred to in Mr. Fullerton's report were reported to me; I see the boys bathed when the Superintendent is away; I never saw any serious marks on their bodies; if the children who had the marks had been in the bath-room I must have seen the marks while I was there; I do not remain in the bath-room the whole of the time; it is the duty of the sub-matron, Miss Davis, and of the attendant, Mrs. M'Cracken, to be with the boys the whole of the time during bathing; if the boys had been there Miss Davis and Mrs. M'Cracken must have seen the marks; it would have been impossible that the thirty-four boys mentioned as injured in the Inspector's report could have been away from the bath-room without their absence being discovered by the female attendants. The three infants mentioned in the Inspectors' report were beaten by a girl named Spinks, and I sent her away; the beating took place in the bath-room; the girl Spinks had charge to dress and undress the infants; Mrs. Pollack, the sub-matron, and the nurse, were responsible for the beatings; Mrs. Pollack ought to have been in the bath-room, but I did not ask her whether she was in the bath-room at the time that the injuries were inflicted; I think that Mrs. Pollack and the attendant would be responsible if absent children were not missed from the bath-room; I should think the female officers and attendants ought to have missed such a large number of children as those mentioned in the Inspector's report, if they were absent; I cannot tell how long I was in the bath-room before the Inspector's report. The Superintendent was ill about a fortnight before Christmas 1875; he resumed duties about Christmas; I suppose I attended at the bath-room between Christmas and the 21st January; if I saw any special marks on the children I should report it to the Superintendent.

Miss
Mary Probert,
Matron.
22 Mar., 1876.

[At this stage, by invitation, the Board adjourned to meet the House Committee.]

I have, since I last sat with you, gentlemen, been informed by Mrs. Polack that the beating of the infants took place in the day-room while they were being undressed for the Inspector's inspection; they were then under Mrs. Polack's supervision; Mrs. M'Cracken or Miss Davis must have failed to do their duty in not either reporting the bruises on the thirty-four boys or in not reporting their absence; when I found out that my officers and servants had not done their duty I did not make any special report to the Superintendent; I felt that the Superintendent knew as much about it as I did; I have made no representation against these two subordinates being continued in their office; I do not consider it my duty to look at all the boys occasionally; it is the duty of the officer of the division to report cases of sickness to the Superintendent; the female officers and attendants are not authorized to administer corporal punishment to the children; no specific instructions about punishment are given to a new officer or servant; there are no special rules or orders about punishment; from time to time I have given my subordinates instructions not to bruise or injure the children; I give but little attention to the progress of the girls in school—that is more in the Superintendent's province.

I

* These were the rules produced by Mr. May.

Miss
Mary Probert,
Matron.

22 Mar., 1876.

I think that girls here are as well prepared for household work as they could be; as far as I hear, the girls who are apprenticed do very well; I often hear of and from them; an average girl leaving the institution could do plain cooking, washing, needle-work, and general household work; since the inquiry into Sproule's case the children have been very unruly; they think that they can set those over them at defiance; in punishments the Superintendent deals with the boys and I deal with the girls; the unruliness I refer to is among the boys. I think that it is necessary to have three seamstresses; the children make the whole of the clothing and bedding; I supervise the laundry; I do not think that we could do with less than three laundresses; the children change their clothing twice a week.

10 April, 1876.

I hand in a memorandum showing the amount of washing done—438 dozen for children, and I put down for officers an average of thirty-four dozen. The rule is that officers are allowed one dozen per week each, and the surplus is for the Superintendent's family; there is no list kept of the washing, but the laundress is instructed to take only one dozen from each officer; with regard to the children's washing I myself pass the clothes for washing, and see that they are supplied with clean ones; I do not make a list of the clothes sent to the wash, nor do I count the clothes when they come from the wash; the changing of the clean for the dirty clothes gives me my numbers; as far as I am concerned there is no check other than that supplied by the number of clothes sent by the officers of the establishment; the officers' washing is occasionally counted, but not always; if officers sent more clothes than they ought the laundresses would naturally object; I am every day in the laundry; I know perfectly well what is done there; I have never seen any neglect of the children's clothes to oblige the officers; there are three laundresses altogether—one for the officers and two for the children; the officers' washing is done by hand, that of the children partly by a machine; the children's laundresses are assisted by seven children; one girl assists the officers' laundresses; I have had complaints from the laundresses that the officers send more clothes than they ought; in the early part of the summer I stopped this irregularity.

M. PROBERT.

RETURN showing the average weekly number of articles washed in the laundry of the institution.

Articles.	Number.	Articles.	Number.
Sheets	334	Night-shirts	214
Bolster cases	350	Coats	485
Blankets	12	Caps	100
Bedticks	6	Aprons, kitchen	14
Counterpanes	12	Dresses	253
Curtains	2	Night-dresses	304
Blinds	2	Chemises	253
Tablecloths	86	Stockings	253 pairs.
Towels	600	Hats, girls'	100
Shirts	704	Petticoats	24
Trousers	353	Pinafores	506
		Total	4,967 = 438 doz.

Washing for officers average 34 doz. weekly.

M. PROBERT, April 10, 1876.

RANDWICK, 10 APRIL, 1876.

Present:—

MR. McLEAN IN THE CHAIR.

MR. VOSS,

MR. FULLERTON.

Miss
Sophia Davis,
sub-matron.

10 April, 1876.

I am sub-matron; I have to attend at the washing of the boys, and to be present at all meals; I was aware that boys had been beaten before any question arose about it; before Mr. Fullerton examined the boys I saw marks upon them; during the time of Craddock and White the marks were unusually severe; I have on several occasions mentioned to the Superintendent the fact that boys were marked; the Superintendent asked me if the boys were free from skin disease, I said that they were, but they were very much marked on their bodies; I am not aware whether the Superintendent ordered the beatings or not; I have seen more severe marks on boys ordered to be whipped by the Superintendent than those inflicted in White and Craddock's time; ever since I have been in the institution the male attendant has punished the boys himself—now they are reported to the Superintendent for punishment; in consequence of these police cases they are very troublesome; if the Superintendent was not in I would deem it my duty to report to the matron; ever since I have been in the building the male attendant has always carried a cane; I have seen him administer punishment in the presence of the Superintendent; I have been here for ten years; I have always considered that the male attendant had a right to administer corporal punishment; I have known boys to beat each other most unmercifully; I recollect the death of Wallace; he was taken ill at the morning muster; he looked very feverish; I sent him to the hospital; he died that morning; he had been a very healthy lad; I have the superintendence of the clothing and bedding in the boys' department under the Superintendent; I obtain fresh clothing and bedding from the Superintendent on his passing the condemned articles which I wish to return; my application for fresh things is not written but booked; the Superintendent signs the book, and the storekeeper gives the things.

S. DAVIS.

I am in charge of the infant division; I remember three infants being severely marked; I do not think that anybody beat the little boy Cails; but he was bruised; I think his injuries were inflicted in playing; I think that the boys, Herbert Harris and Albert Hunt, were beaten by the nursery girl Spinks; Herbert Hunt was beaten on the morning of the inspection; I only know that she beat them by what the children told me; Hunt was beaten in the day-room; the girl Spinks has been dismissed from the nursery; I wanted to have her dismissed before; four years ago I used to take the infants to the Superintendent for punishment, but when he got used to me he told me to deal with them as I would with my own children; my attendants are not authorized to administer punishment; they sometimes bring naughty children to me; seven is supposed to be the maximum age for my division, but if they are backward at school they may be kept in my department until ten or eleven; there are two playgrounds—one for the boys, and one for the girls and infants; it is very unsatisfactory having the girls with the infants during play-hours; the playground is very unfit for the infants—it is dirty, and I cannot keep them as clean as I would wish; since the last inspection even the infants have been most insubordinate, but now they are getting more obedient; in two instances I have brought children to the matron, who gave them each two slaps on the hands with a cane; I have 208 children, and not sufficient assistance to watch them properly; I have only two attendants and six inmate nurses; I have seen the male attendants hitting the boys on the hand with a cane; I did not consider their punishing the children wrong.

Mrs.
A. E. Polack,
sub-matron.
10 April, 1876.

A. E. POLACK.

I have been here since February; my duties are to keep the boys within bounds, to check improper practices, and to bring delinquents before the Superintendent; I attend the musters; I am not allowed to chastise any boy—I have verbal instructions to that effect; I have also to enter on a charge sheet and to bring before the Superintendent all boys who misconduct themselves; this was done at my suggestion; I find it very difficult to keep the boys within bounds; twelve escaped last Saturday; I captured ten; the police brought back the other two; I consider that the premises afford every facility for the boys to run away; I never have all the boys under my eye; I consider that a zinc fence would keep them in; we have boys posted as sentries, but they elude them; I find the boys very insubordinate; they will not obey orders, chiefly in going where they are not allowed; they do not seem to care for our authority; since I have been here I have taken before the Superintendent for bad offences such as lying, thieving, and gross misconduct, at least thirty boys; some of these boys were placed in punishment dress, and also received strokes with a cane not exceeding eight; punishment was administered in the muster-room either by the schoolmaster or the Superintendent; the punishment has not had the desired effect, because it was not sufficiently severe and they do not care about it. My experience was in the Windsor Police in England; I think that the birch as administered to juvenile offenders in the lockups would be effective; I know that the boys hammer each other in the playground; they do this a good deal; they are afraid to tell of one another, and therefore do not complain to me.

A. Walker,
attendant.
10 April, 1876.

ALFRED WALKER.

I have been here over seven years; I am the schoolmaster; I have charge of the boys school, assisted by two teachers—one male and one female; I follow the Public School system; an average boy before he leaves here ought to have an idea of English grammar as far as parsing simple sentences, compound rules in arithmetic, reading as far as the Third Book authorized by the Council of Education; writing small hand fairly both in copies and from dictation, general geography and particularly that of the Australian Colonies, free hand drawing to the end of the Council's Third Book, the tonic sol-fa system of singing. I am now stating what an average boy of 13 knows; I think that some 50 per cent. of the boys who go out do not reach this standard; this is in consequence of their coming in when about eight or nine years of age or very backward; I do not remember any instance of a boy of ordinary mental ability leaving the institution unable to read and write; I am authorized to punish the boys; I have never had to do more than cane them on the hands. As to the system of keeping the boys in school one week and at work another week, I do not see any other way of managing it; I think on the whole that it answers. On Monday a boy gets four hours and a half secular instruction, and half an hour religious instruction; on Tuesday three hours secular instruction in the forenoon and a half-holiday for the walk out; on Wednesday the work is the same as Monday; Thursday is devoted to sewing; on Friday they have three hours secular instruction and religious instruction by the chaplain in the afternoon; Saturday is a whole holiday.

Mr.
R. George,
schoolmaster.
10 April, 1876.

R. GEORGE.

I am the head laundress; I have been here twelve months; there are two assistant laundresses; I do all the washing for the officers and the Superintendent's family; the assistant laundresses wash for the children; I have two girls to help me; the other laundresses have two girls apiece to help them; each officer sends her own clothes to me; I should think that I wash an average of forty or fifty dozen a week altogether; this includes the washing from the hospital together with the officers' washing. I understand that I am not to wash more than one dozen for each officer, but as a matter of fact I wash more; I ought to wash for eleven officers a dozen apiece; I do wash two dozen for the hospital and about twelve or fourteen dozen for the Superintendent. I have frequently objected to the officers sending more than they ought. I have always two and often three or four children to assist me.

E. Saunders,
laundress.
10 April, 1876.

her
ELIZABETH × SAUNDERS.
mark.

I have been clerk and storekeeper for nearly two years; my duties are to do the clerical work, to correspond, and to keep the registers; all letters I answer I copy in the copying book; I keep the number of rations; I prepare the requisitions both for clothing and stores; I have to keep up a weekly return of the children admitted and discharged; I have also to keep the water and flour reports; I have also to fill up the forms of receipt and discharge; I receive all the stores, and issue them as required; I have to take care of the whole of the stores; I issue the rations according to scale; I keep a ration book; some of the rations are obtained by contract—oatmeal, mustard,

Mr.
A. Llewelyn,
clerk and
storekeeper.
10 April, 1876.

A. Llewelyn. mustard, pepper, salt, rice, starch, and other groceries, likewise coal, kerosene, wood, and meat; contracts are taken under tender by advertisement; tea, sugar, and flour are bought by a purchasing committee; sometimes as much as 50 tons of flour are bought at one time; draperies are not bought by contract, but are purchased by the committee as wanted; I keep books showing the receipts and issue of all stores; stock is taken every six months, either by the accountant or collector; I never issue piece goods nor clothing material unless the requisition is entered in the matron's book, and it is ordered by the Superintendent; after being made up they are returned to my store; on Saturday mornings I replace out of the ready-made store any condemned articles that a sub-matron may bring to me; I do not do this on any requisition, but on a general authority; we are unable to sell condemned clothing, therefore unless it can be used in the hospital it is destroyed; the same rule applies to all other articles. On the receipt of children the first issue of their clothing is made on a written authority from the Superintendent. All the resident officers except the schoolmaster and myself are placed on rations; the Superintendent is allowed six rations; several of the non-resident officers are placed on rations; I give out the rations, except the milk and bread, myself: I cannot account for waste, if indeed any takes place; I cannot understand how an officer could take any provision otherwise than his allotted ration; since I came here there has been no alteration in the management of the store; I have nothing to do with the farm with the exception of making requisitions for fodder; about thirty tons of hay a year is bought for the cows. The Superintendent passes my books weekly, and my books are audited every six months when the accountant takes stock. There are five different stores in different parts of the building—this is very inconvenient; I have to receive all produce apart from fodder from the farm, to distribute through the establishment; I never apply to a contractor for what I can get from the farm.

ALEX. S. LLEWELYN.

INFIRMARY BOARD ROOM, SYDNEY, FRIDAY, 21 APRIL, 1876.

Present:—

MR. MACLEAN IN THE CHAIR.

MR. VOSS,

MR. FULLERTON.

Rev. Canon
Stephen.
21 April, 1876.

I am one of the Vice-Presidents of the Randwick Institution; I was one of the founders, and was honorary secretary for twenty years—up to the year 1872; I was a member of the sub-committee of Inquiry whose report was substantially adopted, and which disclosed a want of proper supervision in the institution; I am particularly responsible for the last part of the 15th, the whole of the 16th and 20th sections of that report, being the only part of it which I myself wrote; I regard them as expressing my own views as to the causes which have led to the present state of things at Randwick; I am satisfied that a good many of the evils complained of arise from the very mechanical and drill system adopted in the treatment of the children, more particularly of the boys; in my opinion the boys ought to be separated into smaller divisions, each division being supervised night and day by an attendant of superior qualifications to those who have been hitherto employed; I would suggest that the number in each division should not exceed sixty, nor should the number in the subdivisions exceed ten; I think there are too many superior officers, and not enough servants of a superior character; I think that a consolidation of the lesser officers and servants would be advantageous; on the late disclosures, and after our inquiry, I was very much surprised at the number of defects brought to light by the evidence; since I resigned the secretaryship my connection with the institution has not been of an active character; the evils now disclosed did not exist in former years; I was always of opinion that the institution was a model one; I ascribe the present condition almost entirely to the imperfect supervision caused by the Superintendent's failing health; as to the governing body of the Randwick Institution, my experience of all committees of the Charities with which I am connected is that they have been a failure, chiefly owing to their being unnecessarily large, and to so many of their members indulging in frequent bickerings and personalities, and individual crochets, and also to so few of the members having sufficient time to devote to that personal supervision of the institution which is so desirable for them to exercise; I object also to power given by the rules of the Randwick Institution to the life directors to come in and vote on any occasion; on the whole I believe the interests of the institution would be advanced by having a smaller Board; in my opinion a large Board is not well adapted to dealing with the appointments and dismissals of officers, or with other matters where a constant and personal interest in the affairs of the institution can alone give the experience which is essentially necessary to enable them to form a correct opinion; after an experience of twenty-five years of the working of the Sydney Charities, I am satisfied that it is desirable that their management should be transferred to the Government; it is true that such a course might interfere with the flow of private charity, but this would be more than compensated were a poor rate imposed, which would cause the burden to fall upon the many instead of as at present, on the few; if it could be shown that this course would be to the interest of the institution I do not think that the supporters would object; I am of opinion that since the institution has reached the present dimensions it has been impossible for one man to fulfil all the duties incumbent on the Superintendent; and I am also of opinion that the second officer in command should be a male officer.

ALFRED H. STEPHEN,
Vice-President.

J. G.
Raphael,
Esq.
21 April, 1876.

I was a director of the Randwick Institution for nearly twenty years, and I have been on the house committee for sixteen years until the year 1873, when I was outvoted in consequence of a particular denomination attending a meeting to turn me out; the denomination I refer to was the Orange party; I was a member of the sub-committee whose report was substantially adopted by the Board. Clauses 12 and 19, which were recommended by the sub-committee, and strongly supported by me, were rejected by the Board. I believe that the rejection of clause 12 will be very injurious to the institution, as a suppression of truth which the general public and subscribers will have cause to regret; this clause was drawn in the mildest words the sub-committee could find; the importance of clause 19 lies in the present gentleman styled honorary secretary securing the sum of £50 per annum for his private incidental expenses, and assuming the power of President and Board and Manager and Superintendent; his peculiar manipulation of the minutes is a long way from satisfactory, and

and I believe the continuance of any gentleman holding this office will be a gangrene in the institution; I consider that the fact of the honorary secretary having a salary prevents many people from subscribing; I consider it dangerous for any gentleman holding the position of a director, having a vote at the Board, to hold the office of secretary; I am further of opinion that so long as matters remain as they do, the funds of the institution will seriously suffer if clause 19 is not carried out. The report contains twenty-two recommendations for changes; this, in my opinion, indicates that the institution is in a state of great disorganization; up to four years ago the institution was working satisfactorily, and the evils mentioned did not exist. Up to that time the members of the house committee took a personal interest in the children; the children look depressed and unhappy, in former years this used not to be so; I believe that the present disorganization is owing to gross negligence on the part of the house committee and of the entire staff. The Superintendent was a most efficient officer for a number of years, but now, owing to failing health, I do not think him competent to discharge his duties; it is my proposition that nothing short of a first-class assistant superintendent will be immediately required if the Superintendent's services are to be retained; I have recommended for years, and the ladies committee have recommended for years, that there ought to be a second male officer; I respectfully recommend that clause 20 will have your careful and deliberate consideration; I consider that there are too many superior officers. As regards the governing body, I am sure that the Board of Directors is too large; I consider that the house committee should not include more than nine members; I consider that the present powers of the life directors should be continued; I would leave the number of life directors as at present, but I would reduce the numbers of the directory and house committee; if matters continue as they are the sooner the institution falls into the hands of the Government the better, but if matters are mended we could very safely go on with a governing body; I am of opinion that instead of the office of superintendent there should be a resident surgeon-superintendent, who would be paid by the combined salaries of the surgeon and superintendent; I would be very glad to learn that in future all the children will have shoes to wear; I am of opinion that we are paying too high a salary to one medical officer; Dr. Brown used to do a great deal more for the very small sum he used to get; I am of opinion and strongly recommend that the annual meeting should be held in Sydney and not at Randwick, the attendance would be larger and more general. When I was an active director there used to be very little bickering, now the Board is ruled by a sectarian few.

J. G. Raphael, Esq.
21 April, 1876.

J. G. RAPHAEL,
Life Director.

I have been associated with the institution at Randwick for about twenty years; at one time I was honorary treasurer; I ceased to be treasurer some eight or ten years since; I was a member of the sub-committee whose report has been substantially adopted by the directors; in that report there were twenty-two recommendations of changes and improvements in the administration; I consider that so many recommendations having to be made indicates a thorough disorganization in the institution; I have not been an active member of the Board, but I have not been an unwatchful member since I resigned the office of treasurer; I still continue my interest in the institution; I consider that formerly things went on satisfactorily and smoothly; I cannot tell when the efficient administration began to deteriorate; I cannot ascribe any causes for the present disorganized condition of the institution, except that the children who have been placed in that institution have been neglected, their comforts have been entirely ignored, and they have been allowed to wander about the institution without any supervision or any control which the head of an establishment like the Randwick Institution ought to have.*

W. Hanson, Esq.
21 April, 1876.

W. HANSON.

I have been a member of the directory for nineteen years, and of the house committee for sixteen years; I am a life and elected director; I have retained my position on the active Board by keeping up the required number of attendances; the number of the new members elected during the last two or three years has been much larger than formerly; from 1857 to 1873 the average changes on the Board were from two to three, but since 1873 the number of new members has been unusually large; I do not think that the places of old and experienced members of the Board who attend regularly should be supplied by new and inexperienced men, when the old members would be willing to continue their services; I think that the places of those who do not attend regularly should be supplied by others, unless there be satisfactory reasons for non-attendance; I was a member of the sub-committee recently appointed by the Board whose report has been substantially adopted; It contains twenty-two recommendations for improvement of importance and some of very considerable importance; I think that this fact discloses the existence of disorganization and of defective administration; the establishment worked satisfactorily up to about three years ago, when unfortunately a certain sectarian element was introduced. At a certain annual meeting a large number of members belonging to an extreme association (having previously qualified themselves to vote) proceeded to Randwick for the purpose of swamping the meeting, and of having a large number of the body returned as directors. The consequence was that since that time a large number of new members replaced each year the old members, and that at one meeting not fewer than six new members were returned. The custom had invariably been to elect the house committee by a show of hands, but about this time the members began to be elected by ballot. The committee ignored the recommendations of the Chaplain and myself in appointing the schoolmistress, whose duty it was to read prayers and impart religious instruction to the Catholic children in the absence of the Chaplain, and in rejecting one strongly recommended by the Chaplain; she is still retained in her position, although we have no confidence in her, on the ground of her incompetency as a religious teacher. Again, the house committee refused to comply with the Chaplain's formal application to have the Sisters of Charity to assist him in preparing the Catholic children for confirmation, or to visit at any other time. The reason given was that ladies of other denominations would make similar applications. The altar which had been erected for some considerable time although concealed from view, was objected to and its removal insisted upon. It was removed, and the children have to walk two miles to Waverley. It has been put forth more than once in the annual report that although the elder children attend their respective places of worship, yet divine service is given in the institution

Rev. Dean Sheridan.
21 April, 1876.

* At this stage of the proceedings all further evidence from this witness was dispensed with.

Rev. Dean
Sheridan.
21 April, 1876.

institution for the convenience of the younger children. Now this is not a correct statement as far as the Catholic children are concerned, as divine service according to the Roman Catholic rite cannot be performed without an altar. As far as I am concerned rule 11 is not practically carried out. I was at the Board meeting when it was stated that the altar must be removed because it was objectionable, notwithstanding repeated applications stating the cruelty of sending the children two miles every time they go to church the House Committee persist in withholding the means of the service being held in the institution. This is peculiar to the Randwick Institution, inasmuch as it is the only institution in which the exercise of religious rites is withheld from the inmates. Further, in the Catherine Hayes Hospital there is not one Catholic servant. In my opinion one attendant ought to be a Catholic, for obvious reasons. I have repeatedly called attention to this defect. Another grievance is that no provision is made to enable Catholic officers and servants to observe the law of the church as regards abstinence. Formerly provision was made without entailing any additional expense on the institution. I think that the Government ought to be represented in the governing body in consideration of their large contribution, and the constitution ought to be recast; I think the house committee ought to be constituted so as to represent fairly the two denominations—Catholic and Protestant; I think that eight members would be enough to constitute the house committee; I am not aware of any evil having arisen from life directors having seats at the Board; the mischief I complain of has taken place at annual meetings, when persons have become subscribers for a private purpose; I think that a governing body of twenty-four, including those who act *ex officio*, and a house committee of eight, will be sufficient; I think it is unfair to have both the male teachers Protestants; I think one male teacher should be a Catholic, inasmuch as no female teacher can exercise the control which a male teacher can exercise; I think there ought to be a fair proportion of Catholics among the officers and servants; rather than the state of things such as has obtained during the last three years should be permitted to continue it would be far more desirable that the institution should be placed in the hands of the Government, as in the case of the Orphan Schools.

JOHN F. SHERIDAN.

DEPARTMENT OF PRISONS, SYDNEY, 24 APRIL, 1876.

Present:—

MR. M'LEAN IN THE CHAIR.

MR. VOSS,

MR. FULLERTON.

Mr. Coulter,
collector.
24 April, 1875.

I am collector for the Randwick Institution; I have been collector for little more than three years; in eighteen months previous to my being collector I had been clerk and storekeeper; in addition to collecting, it is my duty to visit and report upon the apprentices; I have written instructions; each time I leave Sydney I receive a fresh copy of my instructions; they constitute a general authority, and are not detailed; we receive more collections from the metropolis than we do from the country; I forward circulars with printed envelopes to persons residing inland; this brings in many subscriptions; since the late troubles the subscriptions have greatly fallen off; up to the time of the late disturbances the public feeling had been favourable towards the institution; several objections are usually made; one is that the Government ought to maintain all the charitable institutions in the country; this objection is largely taken; another is that family considerations are claims of much greater weight than the claims of the Randwick Institution; others say that applications for individual relief are so numerous that they cannot subscribe. In some individual cases it is alleged that children have been admitted who ought to have been supported without going to the Randwick institution. From the published reports of the proceedings at Board meetings they believe the management should be improved. In Sydney people have refused to subscribe on account of apprentices not being apprenticed to persons living in Sydney. I visit the country districts always once a year, sometimes twice. I think the funds of the institution would be very much augmented if there were a collector for the country districts only. We receive about £1,500 from Sydney, and about £1,000 from the interior. I take no other employment than the office I hold. The children are apprenticed to agriculturalists, farmers, dairy-men, and tradespeople, and as domestic servants. There are nearly 500 apprentices out. Last year I inspected 130, of these I had only to report against seven. The directors never take an apprentice back to the Asylum. When there is dissatisfaction the directors endeavour to effect a transfer through the Clerk of Petty Sessions or some other local gentleman. During my tenure of office I have visited nearly every district in the Colony, and before leaving Sydney I take memorandum of all applications for apprentices, and I report upon the circumstances of each applicant. My attention has been called to a case at Dubbo in which the ex-apprentice has been committed to gaol. I can offer no opinion on it. The directors take notice of, and would make inquiry into any case of ill-treatment. It was at one time proposed to send me specially to Mudgee to inquire into a case of ill-treatment, but it was found not to be necessary. During the first year of my office I saw only thirteen children, the second year I saw seventy, and the third year 130 children. Since I began to visit the apprentices there have been fewer cases of absconding, the children have been better looked after, and their wages have been more regularly and more willingly paid. If a country collector was appointed he could see the whole of the 500 children each year. My visits seem to have encouraged the children. I was at one time clerk and storekeeper; I consider that my duties at that time were ample for any one man; I do not think that the duties of the accountant could be amalgamated with those of clerk and storekeeper, but an assistant superintendent could do the duties of a clerk and storekeeper if he were assisted by a first-class senior apprentice. I consider that the office in Pitt-street is necessary, as a large number of persons call there, and a good deal of business is transacted there; I think that the respective duties of the superintendent and accountant could be more advantageously apportioned, all the preliminary apprenticing work being done at Randwick; from my experience, when the Superintendent is absent through illness, the internal management of the institution is not conducted as it should be; the male officers will not take instructions from a matron; I think that a reconstruction of the staff is most desirable; I think that children engaged in trades should be apprenticed for three years to the institution, and should receive their school instruction from the assistant male teacher in the evening;

I used to teach them voluntarily in the evening when I lived at the institution, and the children took an interest in learning; there would be no difficulty in apprenticing any number of children to tailors and shoemakers. The honorary secretary has a large correspondence to conduct and also to supervise the work of the accountant; the correspondence is chiefly about the apprentices and the admission of children, and many other matters, particularly with the Government.

Mr. Coulter,
collector.
24 April, 1876.

JOSEPH COULTER,
Collector, D.C.A.

I was assistant schoolmaster in the Randwick Institution; when I took my office I had some written instructions from the schoolmaster with regard to reading prayers, religious instruction, attending church, and assisting the male attendant; the Superintendent gave me virtual authority over the boys; I clearly understood that wherever the boys were I had authority independent of the male attendant; I looked upon the attendant as being in full charge; it was my duty to give school instruction to the apprentices twice a week, but my duties were too heavy to continue the night teaching; my work lasted from 8 in the morning to 9 at night; I never received any written instructions about punishment, but I received from the Superintendent virtual instructions to punish the children myself; on one occasion I was brought before the committee last year about the boys running away; after much discussion Mr. Pearce said that the boys must be punished severely; this was agreed upon by the Board, and the Superintendent in my presence received their instructions to this effect; after the meeting the Superintendent came to me and told me that I had heard what the committee had said and I must use all my exertions and punish the boys severely to put a stop to their running away. He said he knew I would not abuse my power; he had given me the same power on other occasions in the presence of other officers; many others punished the boys with the Superintendent's knowledge, and I thought it my duty to punish; I had actually more authority out of school than the head schoolmaster; I did beat the boys, but I did so upon instructions from the Superintendent; I always used a cane, in the muster room on official occasions the cat was always used; I never heard that the male attendants had not the power to inflict corporal punishment; I have seen the female attendants on the boys cane the boys; I think the strict rules and the government of the establishment had a depressing effect and made the children indifferent to instructions, and produced a great moral and physical insensibility; under the existing system all individuality of the children is lost; the alternate week system has a bad effect both on the children and masters; the children actually get only three days teaching in a fortnight; what is taught in one week is forgotten the next; they are constantly taken out of school for various purposes; I consider that the result of their working outside does not compensate the children for the loss they incur from having so little schooling; the boys really learn nothing either of farming or in the trades; the whole work on the farm and at the trades is really a farce; if there was a proper Government inspection it would be found that the boys are very deficient both mentally and in their attainments; at the inspection the inspectors were not properly informed as to the length of time which the boys had been in the different classes; the boys who were longest in the classes were those who were kept in for examination; at the Government inspection the best half of the boys only was examined; in consequence of the case at the Water Police Office the honorary secretary asked me to resign; I did so, stating that I considered myself most unjustly used, and requesting to be heard by the Board; I have never received any communication from them on this subject.

W. Craddock,
assistant-
schoolmaster.
24 April, 1876.

W. R. CRADDOCK.

I have been farm labourer at the Randwick Institution for thirteen years; I generally have six or eight boys working under me; I have frequently seen the boys punished; I held one boy while Mr. Craddock beat him on the breach; this is the only instance of that kind that I have seen; I have several times seen boys beaten by Sproule and Craddock on the hands, but only once have I seen each of them beat boys on the head; I thought it was right for an officer to beat the boys, so I took no notice of the matter; the boys do learn a good bit on the farm.

T. Maher,
farm labourer.
24 April, 1876.

THOMAS MAHER.

THE BOARD ROOM, INFIRMARY, MACQUARIE-STREET, 27 APRIL, 1876.

Present:—

MR. MACLEAN IN THE CHAIR,

MR. VOSS, | MR. FULLERTON.

I have been for twelve months both a director and also a member of the house committee; I have had personal knowledge as a visitor and as a subscriber for several years past; I am furnished with the Report of the Sub-Committee, which has been substantially adopted by the Board of Directors; I would not necessarily infer from that that the administration had been defective, although in my opinion the alterations proposed are calculated to promote the efficiency of the institution; I am satisfied with the present constitution and administration of the present governing body; I do not think that a numerically reduced directory and house committee would conduce to the efficiency of the institution; in my opinion it would not be desirable for the Government to take over the management of the institution; I think it would be desirable, considering the large amount the Government subscribe, if they were represented on the directory to some extent; I was not on the directory when the Catholic altar was removed from the schoolroom, but I do approve of the action of the then Committee in having had it removed; I do not consider that the Roman Catholics ought to have an altar in the schoolroom or in any part of the institution. I would not object to a room being set apart and separately used for a Catholic service, and also to a room being set apart for a Protestant service; my reason is that the institution makes provision for the religious teaching of the children by providing a Catholic and a Protestant chaplain. The religious teacher for the Catholic children was not appointed in my time. I have reason to think her a most efficient teacher, and she has given satisfaction to the Board. I do not consider the staff is sufficiently large. I think there should be a more youthful gentleman of activity for an assistant superintendent. I think that

J. Davies,
Esq., M.L.A.
27 April, 1876.

J. Davies,
Esq., M.L.A.
27 April, 1876.

the Superintendent is still capable of performing his duties, but he ought to be ably assisted. I am of opinion that in the female staff, if there were fewer officers and more servants, it would be more efficient. The chief cause of the increased expenditure in maintaining the institution is the great rise which has taken place in the cost of necessaries during the last few years since 1872. I do not think that supplies should be got by any other means than public tender. I myself moved a resolution, during the past year, at the Board, that they should be bought not by purchasing committees but by public competition. I think that the present mode of admitting children by inquiry is highly satisfactory. A great deal of work is taken by the house committee before a child is admitted. I see no reason why the Government nominees should not be admitted direct, instead of through the Benevolent Asylum. I would not suggest an alteration in the alternate system of schooling and manual labour; I think that amount of schooling is sufficient.

JOHN DAVIES.

S. H. Pearce,
Esq.
27 April, 1876.

I have been a director of the Randwick Institution and a member of the house committee for nineteen years. I am acquainted with the report of the sub-committee, which has been substantially adopted by the directory. There are twenty-two recommendations of more or less importance made by the sub-committee. I consider that some of the recommendations are good, but there are others which I could not indorse. I am not altogether satisfied with the present executive administration; I believe there is great room for improvement; I consider that one superintendent, and one matron, and an assistant superintendent would be sufficient; the assistant superintendent should take the duties of clerk and storekeeper; I would do away with all the other officers, except those engaged in teaching in the schools, and the internal industries, such as engineer, carpenter, and shoemaker; I would increase the staff of servants with male and female as required; as a member of the house committee I have had no opportunity of judging accurately of the individual efficiency of the female staff, but I do not believe all of them to be efficient; with reference to the removal of the Catholic altar, about four or five years ago the priest used to hold the Catholic service in the schoolroom under rule 11, where the time and nature of the services are defined; subsequently, about three or four years ago, the then chaplain, the Rev. Father Woolfrey, introduced at various times, without the authority or knowledge of the house committee, a Catholic altar and vestments into the girls' schoolroom; he did this for about twelve months; this was, I believe, accidentally discovered by some visitors; I believe that I first heard of it through the public Press; I went into the girls' schoolroom and saw the altar and, I believe, a crucifix, all screened by a map; the committee inquired into the matter; the Superintendent stated that Father Wolfrey had introduced it without his knowledge; more accurate information can be obtained by reference to the minutes; the chief cause of its removal was its having been introduced without the consent or knowledge of the house committee; long previous to the introduction of the altar, the priest for the time being had for several years held service, which neighbouring adults attended; the action of the house committee was supported by the directory; the committee did not consider that an altar was necessary, in order that the Catholic children should hear divine service, as the service had been held for several years without one; the committee felt that the altar had been clandestinely introduced; I do not consider that there would be any objection to a movable altar, or to anything which could be locked up and put away in a private place; I believe that no objection would ever have been taken if it had been introduced in a proper manner, and not exposed as it was; since its removal no application has ever been made to my knowledge for its restoration; the committee objected also to the altar and appendages being exposed to the view of the Protestant children; the removal of the altar has, I believe, largely affected the harmonious action of the directory; the real struggle on the directory is apparently who shall reign; I think these and other circumstances have weakened the popularity of the institution; the action of the directors with reference to the removal of the altar has, I think, caused the greater portion of the late differences at our meetings. But another cause of complaint has been the baptism of Protestant children by Roman Catholic clergymen before their admission, and thereby their introduction into the institution as Catholics. We have had evidence of these facts. The introduction of sectarian principles has been the chief cause of dissensions between the members of the Board. I attribute nine-tenths of the differences and difficulties in the directory have been caused by the action of the several clergymen who have been members of the house committee. The Roman Catholic teacher was selected in consequence of her superior certificates, including one from the Rev. Dr. Forrest, and one from the Council of Education, and from her evidently superior attainments and qualifications she was selected from a number of three applicants. Complaints have been made by the Roman Catholic Chaplain, but not sufficient in the judgment of the Committee to justify her removal, believing as we do that she is a most efficient teacher under the rules of our school. Religious teaching is not her chief vocation, she is simply required to read prayers morning and night to the Roman Catholic children. Her chief duties are secular instruction under the rules of the Council of Education, as adopted by the Board. The Chaplains are appointed and paid to give the children religious instruction, but all the teachers are employed to teach secular knowledge. I think there should be a Roman Catholic attendant in the hospital. I believe that at one time diet fish was provided for the Catholic officers by the action of some individual members. There never was any rule to my knowledge on the subject, nor has any complaint of want of it been made so far as I know. The first time I heard of it was from the evidence of the sub-committee, and it appears from further inquiry that there was no cause of complaint, for the officers have had fish on Fridays. I am not satisfied with the present constitution of the governing body. I think it would be only fair and right, considering the proportion subscribed, that the Government should be represented on the directory by a number not exceeding three laymen. The institution could be satisfactorily managed under the present constitution if the sectarian element were eliminated. I see no hope of coming at this state of things unless all the members of the directory consist exclusively of laymen. Rather than see the present disturbances caused by the religious dissensions, continue, I would assist the Government in taking the management of the institution into their own hands. I would not, however, recommend this to be done, but I would recommend the merger of all sectarian antipathy and struggle for power. I do not think the contributors would like to see the institution pass into the hands of the Government, if it can be worked by a body of directors; I think there is room for great improvement in the management of the farm and of the playgrounds; the reason some of the suggestions made by the sub-committee were not carried out was because we had

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an overdraft of £3,000 at the bank, and we had not funds; the members of the sub-committee knew of S. H. Pearce, Esq. this overdraft, and were aware of the cause of our being unable to make the improvements referred to; I believe that the principle of alternate weeks of schooling and manual labour is a wrong one; it would be better for the children if they got more school teaching, leaving their physical education until they are apprenticed, as is the case in ordinary life; I recommend that the Act should be altered, allowing children to be apprenticed at 11 years of age, as at that age they would be as advanced as English children of 12 years; I would keep the children almost entirely in school until that age; the relatively higher cost of maintenance of each child is caused by the increased cost of all articles of consumption, of wages, building materials, and improvements, which are all added to the present cost per head of the children, and also to the lesser number of children, as compared with the necessary staff which previously attended to a greater number; I may also be permitted to add that many of the suggestions now submitted by the late sub-committee have long engaged the attention of the house committee, but have been deferred from year to year, owing to the debt due to the Bank, and for which interest had to be paid at the rate of £200 per annum; many applications have been made to the Government for a grant of money to clear the overdraft, but no effectual response was made until the present Government, a few weeks ago, granted the amount; the debt will now be paid, and the Committee will be prepared to entertain the many suggestions previously brought forward and partly considered; the irregularities will be rectified, and a remodelling of the staff will be made forthwith.

27 April, 1876.

S. H. PEARCE.

Randwick, 1st May, 1876.

NOTE (on revision):—But I desire you to refer to the minutes of the house committee and Board for the details herein referred to.—S.H.P.

THE BOARD ROOM, SYDNEY INFIRMARY, 1 MAY, 1876.

Present:—

MR. MACLEAN, IN THE CHAIR.

MR. VOSS,

MR. FULLERTON.

I have been for two years a member of the house committee and of the directory; my knowledge extends over two years only; I am acquainted with the report of the sub-committee which was substantially adopted by the directory; the definite recommendations at the conclusion of that report were not considered; some of the alterations proposed by the committee are needful; I think there can be no doubt that a reorganization and a recasting of the staff are absolutely necessary; we want a better administration, organization beyond the present governing body; the institution requires a young, intelligent, vigilant man to act under the Superintendent; the committee do as much as they can but they cannot inspect into details; it will not be practicable for the committee to direct the internal administration; the duties of Superintendent are too many and heavy for any one man; the Superintendent requires a competent assistant; the Superintendent's duties are too arduous for any one man to undertake; I am satisfied with the constitution of the governing body; I would not reduce either the Board or the house committee in number; I never heard mooted the question of transferring the institution into the hands of the Government; my opinion is entirely against such a course; I would have no objection to the Government being represented in the Board; I was not a director at the time of the removal of the altar; the schoolmistress was appointed before I was a member of the Board; no application has been made for her removal; Father Garavel and Father Sheridan constantly complain of her at the monthly Board; the Board has nothing to do as to whether she suits the Chaplains; her efficiency has been several times brought before the house committee, but as they regard only her secular qualifications, they have kept her in her position; the question of re-establishing the altar has been mooted at the Board meetings, but only conversationally; the house committee have made up their minds not to have the altar re-established; the house committee will not admit anything of a sectarian nature; I and Mr. Thompson constitute the purchasing committee; the lists are made up from the various departments in the establishment of things which are not contracted for; we sometimes give an order for them, sometimes we purchase personally; we try to distribute our orders as fairly as we can among the mercantile houses which subscribe; flour is not bought by annual contracts, but is purchased by private or public tender; the tenders are put out either by advertisement or by private memorandum as the flour is required; I think that this system of purchasing flour is preferable; I think that leather and such like articles ought to be bought by public tender; whatever I purchase I see before, and I examine when delivered; it would not be practicable to buy clothes as we buy other things, except under long contracts; I think it would be a good thing to have a contract for clothing for two or three years; I think that the clothing of the children could be improved; I would have a defined uniform both for the boys and girls, the stuff could then be imported from Home direct under long contracts; I do not think that it would cost less, but it would be more economical, because it would wear longer; in the suggestions at the end of the report of the sub-committee, the figures comparing the expenditure for the year 1867 would give an incorrect impression, and they do not show the true position; the discrepancy is in consequence of no stock having been taken in the years previous to 1867, e.g., leather and labour amounts, in 1874, to about £500; deducting that from the £875 in 1867, only about £375 would be left for the clothing and drapery of the institution, which is absurd.

J. Watkins,
Esq.

1 May, 1876.

JOHN WATKINS.

I. J.
Josephson,
Esq.
1 May, 1876.

I have been a member of the house committee and a director for about four years; I am acquainted with the sub-committee's report which was laid before the directors; I think that many of the suggestions in that report were valuable; I think that there was room for many of the alterations proposed; I infer from this that the administrator's efficiency as regards the internal management is not what it ought to be; I do not think that there has been any material change as regards the internal management during the last four years; I do not consider that the evils which have existed were brought sufficiently to the cognizance of the house committee. The house committee would have made many improvements, but their hands were tied by the overdraft at the Bank. I am of opinion that, with the exception of one instance, the female staff do their duty; the staff would be well constructed if each member of it did her duty; there is no doubt that a first-class assistant superintendent is absolutely required; until within the last four years a large number of children were admitted whose parents could have supported them, and had no right to be admitted, but owing to the vigilance of the house committee this abuse has been rectified; I think that Government children ought to be admitted direct, and not through the Benevolent Asylum; I am also a director of the Benevolent Asylum; the cases of children for admission in entering the Benevolent Asylum do not undergo such severe scrutiny as they would at Randwick; by admitting the Government children direct the Government would be saved the cost of the two infant teachers at the Benevolent Asylum, since there would be no children for them to teach. I am not satisfied with the constitution of the governing body: I think that there are too many on the Board, and I do not think that the Directory should include more than eighteen members; I would exclude life directors, and give them some other honorary designation; I think the present condition of things leads to directors attending occasionally to vote upon subjects they know nothing at all about; my own idea is that the institution would be better managed by one Board only consisting of seven members,—two nominated by the Government and the five elected by the subscribers; I approve of the present arrangement of buying articles which are not contracted for by purchasing committees; I consider that the management of the Catherine Hayes Hospital is perfect; I attribute this to the management of the matrons in charge.

I. J. JOSEPHSON.

J. Dawson,
Esq.
1 May, 1876.

I have been on the directory for about twelve years; I was a member of the sub-committee of investigation which has lately sent in a report; there is no doubt that there is room for much improvement in the institution, and that the organization is not in a satisfactory condition; the improvements which are most desirable are contained in the suggestions at the end of the report; I am not satisfied with the present constitution of the governing body; I think that the Board and house committee are too large; my experience has taught me that large Boards do not work well; I would reduce the Directory to a number of twelve, and the house committee to seven; I think that it is very desirable that the government should be represented both on the Board and on the house committee; I have had a feeling in favour of transferring the institution to the hands of the Government; I am not prepared to recommend such a course; I think that the expenses of maintaining the institution are out of all proportion to the benefits derived; taking for instance the farm; I hand in a calculation made by myself of the cost of the farm in 1875 Vide Appendix R.; I consider that this instance may be taken as an example of the whole establishment; I was lately through the Bristol Institution, the cost there was £12 12s. 2d. per child; the children number about 2,000, and are divided into five houses; the appearances of the children, both in their physique, expression, and dress, was very superior to the appearance of the children at Randwick; I do not think that the system of industrial occupation at Randwick works well; I would let the children have as much schooling as possible; I think it would be much more economical to dress the children in better stuff; the cheap slop goods are really dearer in the long run; to change the uniform effectively, a considerable notice would have to be given to the contractor so as to admit of the goods being imported; for boys I prefer corduroy to moleskin; if the materials were imported the clothes could be made up in the Colony; the girls as heretofore could make up their own clothing.

JOHN DAWSON.

Rev.
J. M. Garavel,
chaplain.
1 May, 1876.

I have been for five years chaplain of the Randwick Institution; I have been a director for five years; I was the first three years of that time on the house committee; since last election I have not been a director; I reside 2 miles from the institution; I think it would be of advantage to the institution if there was a chaplain residing close by, in order that he might see after the children and after the officers; the altar was removed a week before I was appointed chaplain, by the action of the directory; the altar is absolutely necessary for the conducting of our service, because it is impossible to say mass without one; the children never went to Waverley before I was appointed chaplain; the altar was four or five years in the institution before I came there; I consider it a most important thing for the children that they should hear mass in the institution every Sunday morning; if the altar was dispensed with in former years it was because there was no priest appointed in the parish to take charge of the institution; I never applied to have it restored, because I knew it would be useless; I on special occasions carried everything necessary for mass, but with great difficulty; only about 70 out of 242 children hear mass at all; we do not consider that any children of sufficient intelligence hear divine service unless they hear mass; I would not object to a movable altar; only those children and officers who go to Waverley fulfil their duty on Sunday; the head female teacher has the duty of taking my place when I am away and of assisting me in teaching the children in religious instruction as Chaplain; I was not consulted when the committee appointed the female teacher; she was appointed against my wish and against the wishes of every Catholic on the Board; I have had occasion to complain of her inefficiency, but I have never complained personally; she has improved lately, but she does not meet my approval even now; as a Roman Catholic she is positively incompetent to teach the children their religion; in consequence of this she has lost her influence over the children; I therefore asked for the Sisters of Charity to assist me, by visiting at times of special instruction, *i.e.*, Sunday and Friday, or any other time when necessary; I did not specify the exact times, but I meant Sunday and Friday; I made the application to the house committee, of which I was then a member, but I was refused; this took place three years ago; when the present teacher was appointed there were three candidates, of whom there was one who was recommended by myself and approved by the highest authorities of the Church; all the staff in the hospital

hospital are Protestants; we have asked that one might be a Catholic, but one has never been appointed, although I think there has been a vacancy; there has been no distinct refusal to appoint one; I do think that the practice of allowing two children to sleep in a bed is morally dangerous; my own opinion is that it would be better for the children if the institution were taken in the hands of the Government; if it is conducted as it has been, in my opinion the Catholic authorities and people will have to take some special action; as things are now conducted the Catholic children are in a most dangerous position as regards their faith; the Catholic community will be alienated from the institution if the government of it is not altered; since the last three years our community has taken less interest in the institution; this is on account of their having no influence at the Board.

Rev.
J. M. Garavel,
chaplain.
1 May, 1876.

J. M. GARAVEL, Chaplain.

I have been a member of the directory about twelve years, and during that time I have been for several years on the house committee; I was the chairman of the sub-committee appointed by the Board; from the number of alterations proposed in our report, it is clear that there was great room for improvement in the administration; I attribute the defects in some measure to the constitution of the governing body; I decidedly think that there are far too many members on the directory; I am of opinion that one Board of about seven would be a better governing body; it is also my opinion that the Government ought to be represented on the Board, as long as they contribute so largely to the institution; I think it would have a bad effect upon the charitable disposition of the community if the Government were to take the institution entirely into their own hands, and thus stop private contributions; I do not think that such a step would meet the approval of those who have subscribed largely; I do not think that it is advisable to continue the industrial occupations of the children, because it is so costly and so ineffective; I would rather give the time to schooling; there have been dissensions on the Board which I do not approve of, and which have injured the reputation of the institution.

W. M.
Alderson,
Esq.
1 May, 1876.

W. M. ALDERSON.

I have been accountant of the Randwick Institution for nearly ten years; my duties are to keep the accounts, to receive the subscriptions, to make payments, to check the accounts, and to take the minutes of the meetings both of the directors and of the house committee. I take the minutes of the proceedings of the meetings in the rough; I afterwards write them out at length and submit them to the honorary secretary; when he has approved of them they are entered into the books; exceptions are occasionally taken to them; the honorary secretary occasionally alters the wording and seldom the purport of what I write; the minute book is generally kept at the Asylum, but it is brought into Sydney for meetings; I go to Randwick two days in every week; I keep the registers, and the apprentice application book; I keep the accounts of the apprentices' wages; I conduct some of the general correspondence, but most of it is done by the honorary secretary; I think it is a great advantage to keep up the office in Pitt-street; I think that the Sydney office is perfectly well known to the public; it is a great convenience for banking; it would be very inconvenient if my office were removed to Randwick; I think there would be more difficulty in collecting the annual subscriptions if there were not an office in Sydney. I think fewer people would go out to Randwick if they could not get some information at the office first. My time in the office is fully occupied. I do not consider that the apprentices' Savings' Bank accounts constitute an insuperable difficulty to my office being shifted to Randwick. Sometimes papers and letters are sent on to me which have been sent to Randwick; the larger portion of the correspondence is addressed to my office direct. I do not think that the extent of the correspondence conducted by the honorary secretary is very great; he corresponds with people applying about admissions and apprentices, with magistrates, and with the Government. I keep no account in my books of what is produced or made on the establishment, my books will show only money expenditure; any expenditure on the farm of which I have not an account is immaterial. I hand in a return of the farm expenditure for 1875, but I cannot hand in a return of the produce. Groceries, meat, soap, candles, and fuel, are all tendered and contracted for, all other supplies are bought by a purchasing committee. As accountant I have no supervision over the supplies after they are delivered; I have nothing to do with the accounts of the clerk and storekeeper, as they deal with the supplies after they are delivered; I have no account of anything manufactured from the supplies furnished; my books would show merely the first cost of material, and would not show the value of the labour expended upon it; I think that anything beyond the receipts in money and expenditure is foreign to my province; I think that the Superintendent is the proper person to keep account of the use which is made of the goods supplied; I do not as a business man think it right that books other than office books should have to be resorted to for information as to produce and the consumption; in taking stock I do not know whether the cost of the material is deducted from the value of the manufactured article; I suppose that the stock is valued at the cost price of the raw material.

Mr. Wailes,
accountant.
1 May, 1876.

W. WAILES.

THE BOARD ROOM, SYDNEY INFIRMARY, THURSDAY, 4 MAY, 1876.

Present:—

MR. MACLEAN IN THE CHAIR.

MR. VOSS,

MR. FULLERTON.

I have been President of the Randwick Institution since its first establishment in 1852; since giving my evidence before the Royal Commission of 1873, circumstances have come to my knowledge which have induced me to modify materially the opinions I then expressed. The Society was established for the relief of destitute children; it was originally contemplated by the founders of the Society that children abandoned by their parents or left without friends or protection should be admitted direct without question

Sir E. Deas-
Thomson,
K.C.M.G.,
C.B.
4 May, 1876.

of

Sir E. Deas-Thomson,
K.C.M.G.,
C.B.

4 May, 1876.

of legal surrender; I do not know that such children are not admitted; matters of this description are settled by the house committee; my opinion is that the institution contains far too many children for their real welfare; I attribute a great many of the late irregularities to the institution being over-crowded; there is too much aggregation without sufficient division; I think that arrangements might be made to divide the children properly, but I would rather see them lodged in separate houses; I consider that an increase of the staff is necessary, and would be more than compensated by the good effects on the children; I think that 500 is the extreme number that should be in such an institution; I have always insisted upon the industrial occupation of the children; I would give their schooling the primary consideration, and would make their industrial education altogether supplementary; at the commencement of the institution we began with a very small directory and never contemplated such a large directory as we now have; I consider such a directory as we now have to be very inconvenient: I consider the system of having life directors very objectionable, because although there may be good reason it is impossible to remove one, and it increases the size of the Board unnecessarily; in my opinion the Board of Management should not exceed nine members; I think, seeing the large number of children who are admitted by order of the Government and maintained at its expense, that it should have the power to appoint one-half or at least one-third of the governing body; there is a false impression that the Charity is indebted to the Government, without making any return, whereas the managers may fairly claim the merit of having taken care during the last twenty-four years of many hundred children who must otherwise have fallen to the entire charge of the Government; I do not think the contributors would like to see the Charities fall into the hands of the Government, unless the funds or management altogether failed; formerly, the lady visitors took great interest in the children; I think it would conduce to the welfare of the children should this interest be renewed; ladies are naturally the best people to give advice in the management of children of tender years; I consider that many of the late defects in the internal administration are in a great measure owing to the Superintendent's indisposition, and to the want of a second responsible officer in command; I consider that the number of officers and servants is insufficient to take care of so large a number of children; a redistribution of the staff might be made to bring the children more individually under the control of those placed over them; the sub-committee of investigation was appointed at my instance, and with full instructions prepared by myself; I called the special meeting of the Board directly after I learnt of the late disorders, for the purpose of appointing that sub-committee; the report of the sub-committee contains some very valuable suggestions.

E. DEAS THOMSON.

THE RANDWICK INSTITUTION, 4 MAY, 1876.

Present:—

MR. MACLEAN, IN THE CHAIR.

MR. VOSS, | MR. FULLERTON.

Rev.
T. Wilson,
Protestant
chaplain.

4 May, 1876

I have been on the directory for seven years, and on the house committee for five years, and also I have been chaplain for the last seven years; it has often struck me that directors ought to go out in rotation as in Municipal Councils; I am not prepared to suggest any other radical change in the constitution of the governing body; there is nothing that I particularly wish to represent regarding my own department in the institution; I am aware that a representation has been made by the Roman Catholic body, as to certain alleged grievances; the matter of the removal of the altar occurred during my tenure of office; I remember the fact of what was termed an altar being removed from the girls' schoolroom; I complained to the committee about it, and it was removed in final consequence of my complaint; it appeared on conversation with some of the Protestant employes that it did violence to their religious feelings having it permanently erected and occasionally exposed; I have seen it occasionally exposed during ordinary school hours; I considered the objection of the employes reasonable, and I considered the presence of the altar objectionable as regards the Protestant children; the matter having been discussed several times by the committee, was at last referred to the Board, and eventually after about three or four months the altar was removed; I was one of those who suggested that it might be made a moveable altar; I remember that the Roman Catholic Chaplain objected to its being made a movable altar; he objected to its being carried in and out; when I hold service whatever I use is carried in and out; when I became chaplain I found that the Protestant children were not supplied with meat on Fridays, and therefore were obliged to keep a fast day; this practice I was told had existed for ten or twelve years. I complained, likewise, of this to the committee, and like the matter of the altar it was in due time rectified; I always understood the 3rd Clause of Rule 11 as applying to a clergyman taking my duties in my absence; teachers are charged with reading prayers; I do not know whether they impart further religious instruction on those days; I would not consider that my position as chaplain would authorize me in taking exception to a teacher because of his unfitness to impart religious instruction; as chaplain I believe I have no authority excepting as regards the duties laid out for me by the rules; I have no knowledge of any rule compelling teachers to give any religious instruction beyond the reading of prayers; I have never in my capacity as chaplain recommended any one for appointment as school teacher; I think in a general way that the chaplains should be on the house committee.

THOS. WILSON.

RANDWICK,

RANDWICK, MONDAY, 8 MAY, 1876.

Present:—

MR. MACLEAN, IN THE CHAIR.

MR. VOSS,

MR. FULLERTON.

All officers and attendants can make a direct report to myself; all the female officers, except the school teachers, are immediately under the orders of the matron, to whom they make their reports as well as to myself; it is not the practice for their reports to me necessarily to come through the Matron. Some of the girls obtain a knowledge of cooking by being as servant to the officers; as a matter of fact, seven girls are used in the washing—these are changed—so a considerable number gain some knowledge of washing; with reference to my statement that I could not account for a boy 11 years not being able to read and write, it has subsequently come to my knowledge that he can read and write; he was very backward by reason of natural deficiency and a long illness; it is not the case that when Constable Saunderson brought boys to me, charged with stealing fruit, at the late Mr. James Pearce's, that I refused to give him their names, or was disinclined to give him any assistance—I rendered him all the assistance in my power, and the boys themselves gave him their names; my explanation to the house committee was by them regarded as satisfactory, and a minute was placed on record to that effect; it is not the case that Harris or any other person could have had surplus rations to distribute outside the institution; I had the lower branches cut off the trees adjoining the road and other parts, but simply to guard against fire; the report with regard to the boys throwing stones at race-horses I have never heard of. At Christmas, 1875-6, I was ill for three weeks with an interval of one week; reports of children's sickness are not necessarily made to me, any officer is authorized to send a sickly child direct to the hospital, the admission is then reported to me by the officer in charge; it is not the case that boys have been flogged by my orders as severely as they were by Sproule and Craddock, nor is it the case that the male attendant has to my knowledge punished boys without my authority. The condemned articles of clothing are exchanged through the Matron, under my approval; the storekeeper has no authority whatever to condemn clothing, it is condemned and replaced by my authority; all articles of clothing, tinware, knives and forks, and utensils required for the use of the children are applied for through the Matron and duly booked. It has only been by accident that there has not been a Roman Catholic attendant at the Catherine Hayes Hospital, the vacancy to which has lately occurred has been filled up by a member of that denomination. I never knew of any representation being made upon the subject; I made the present nomination on mine own idea that it was desirable; I have never heard as a grievance that no provision was made to enable Catholic officers and servants to observe Fridays; it is and has always been the practice to issue to Roman Catholic officers and servants extra butter, tea and sugar, as an equivalent for meat, and during Lent they have been always supplied with fish; I remember the introduction of what is termed the altar into the institution; the then chaplain told me that he was about sending out a cheffonier to serve as a repository for his vestments, which I understood to be his surplice; it was received and placed with my assent in the schoolroom; after it had been in position for some time a painted back was added to it; this back was always covered by a large map, which happened to hang before where it was placed; I believe that its being behind the map was a matter of accident, the map having always been there. I never saw any emblems on the chifffonier except during Divine Service. I do not remember having seen a cross or crucifix on it. It had been there for about twelve months when the attention of the house committee was called to its having been used as an altar. It was discussed by the house committee and was removed by order of the Board. While the altar was there, the full service of the Catholic ritual was performed so far as I know. On its removal it was that an order was made that the elder children should go to their respective places of worship. Prior to the altar being brought into the institution, I believe that the full Catholic service was held for the children. A few of the Catholic residents used to attend before the altar was introduced. Some portable articles were brought in at that time, and were taken away after service by the Chaplain. It is the duty of the Roman Catholic schoolmistress to read prayers to the children night and morning, and to assist the Chaplain on Friday afternoons, which we set aside for religious instruction, and also to give religious instruction on Sunday. Sometimes when the Chaplain does not attend on Sunday, the schoolmistress would conduct the service, as the Protestant schoolmaster would in the absence of the Protestant Chaplain. I have occasionally gone through the school when the schoolmistress has been so engaged. The service I allude to seems to consist of reading prayers from the "Garden of the Soul," singing hymns, and catechising the children. I consider myself bound to see that both the Protestant and Catholic teachers imparted religious instruction in the absence of their respective Chaplains at the appointed times. The Protestant Chaplain attends from 9 to 10 on Sunday. If the Protestant teacher were absent as well as the Chaplain, I would take the duty myself or appoint a substitute. In the same way I would appoint a Roman Catholic officer, should both the Roman Catholic Chaplain and schoolmistress be absent. It is the duty of both the Protestant schoolmaster and Catholic schoolmistresses to prepare the children for their religious exercises under the direction of the Chaplain. In the draft of rules which for years have had the tacit sanction of the committee and has been acted on, the Roman Catholic teacher is ordered to read prayers morning and afternoon to the Roman Catholic children, to conduct the religious instruction on Fridays and Sundays, and at such times as may be appointed, and in the absence of the Roman Catholic chaplain. I am quite confirmed in the opinion that the office in Sydney could be advantageously reduced to a collector's office, and the offices of accountant and clerk and storekeeper, be amalgamated at the institution with proper clerical assistance. As a rule, the people who call at the Sydney office about apprentices have to come here. The collector's office would have to afford all information. An extract of the draft rules relating to the duties has invariably been given to the schoolmasters and other officers on their appointments, in which the question of punishments is referred to. It is not the case that the cat has ever been used with my knowledge, to punish the children. On one occasion a piece of stripped leather was brought by an assistant to punish with, but I refused to allow it to be used. It is not the case that selected boys only were brought before the Public School Inspector.

Mr. J. M.
May.
8 May, 1876.

J. M. MAY.

Notwithstanding

G. F. Wise,
Esq.
8 May, 1876.

Notwithstanding the evident intention of section 1 of by-law 2, stating that children abandoned by their parents or left without friends and protection, no destitute children are received unless they are legally surrendered either by one of the parents or by guardians or by order of the Government. As far as it is within our power, the Society does its best to watch over the welfare and interests of the apprentices, and to exercise a protective care over them. I do not think it necessary that the Society should have greater legal power. As to the removal of the altar, I hand in the minutes connected with the matter, according to your request; with the exception of the appointments of some few of the officers, the question of denomination is not considered by the committee in making appointments. In the annual Reports, the statistical information as to the farm produce and industrial employment of children is arranged by me, upon information furnished by the Superintendent; the returns of produce and industrial labour, both of the boys and girls, were not inserted in the last annual Report, because it was found that they, as furnished from the institution, were unreliable. It might be a question for consideration whether the accountant's office, now in Sydney, might not be advantageously removed to the institution, but I have never given thought to the matter. Stock was never taken before December, 1867—hence the great difference in the figures of expenditure, shown in the report of the sub-committee, for that of the following years. The statement in the last paragraph of the report of the sub-committee is incorrect, inasmuch as some of the items included in the £312 should have been added to the £189.

GEORGE F. WISE.

DEPARTMENT OF PRISONS, MONDAY, 29 MAY, 1876.

Present:—

MR. FULLERTON, IN THE CHAIR.

MR. VOSS.

Dr. Nott.
29 May, 1876.

I am visiting surgeon of the Randwick Asylum; I recollect Joseph Wallace and William Toogood dying in the Catherine Hayes Hospital; both of them died in the month of May, 1875; I do not remember any boy of the name of Bovil dying in the hospital; the only boy of whom it has been said that he was beaten over night and died next day was Joseph Wallace; I was sent for to see him on the morning of his death; the boy was in a state of coma and showing evident symptoms of effusion on the brain; going down-stairs to obtain some remedies I was informed that he was dead; I inquired what had been done for him and the treatment which he had received; I approved of it in every respect; my diagnosis of the case was meningitis with effusion; now this is a disease which may originate from a blow or it may come on of itself; in this instance I believe it did not result from a blow, because on examination I could not discover any external marks whatever or depression of the skull; I did not hold a *post mortem* examination because I was perfectly satisfied as to the cause of death; I do not remember the deceased ever having been brought under my official notice before; all the remarks I have made with regard to Joseph Wallace equally apply to William Toogood, with the exception that in the latter case I called in the consulting physician; I did this because I was afraid that an epidemic might be about to break out; he agreed with me after a joint personal examination of the body in my diagnosis of the case in every particular; we did not find any sign of a blow of any kind on the bodies of either boys; I think in the instance of William Toogood that he had at some time previously come under my official notice, but before I can speak positively to this I must refer to my hospital books; the vomiting which the other boys state took place in each case the night before their admission to the hospital is one of the early symptoms of incipient meningitis, or of any affection of the brain.*

THOMAS NOTT, M.D.

* Since I was under examination this morning I have discovered on looking through the hospital reports that Wallace had not been brought under my notice for some considerable time, and then only for skin disease. Toogood had not been in hospital for the last two years.—T.N.

RANDWICK ASYLUM.

APPENDIX.

A

DIGEST OF THE FOREGOING EVIDENCE AS TOUCHING THE QUESTION OF THE GOVERNING BODY.

In my opinion a less number of directors would be desirable; as many as from twenty-five to thirty often meet at monthly meetings; I think that the life directors might with advantage be entirely omitted; I would reduce the directors to fifteen members, out of which a house committee of five, exclusive of hon. treasurer and secretary (who are *ex officio* members of house committee and of the Board), would be sufficient; I do not think that the Government should be represented in the committee—their power of the purse is a sufficient check.

G. F. Wise, Esq.,
hon. sec. 4 years,
hon. treas. 5½
years.

As to the governing body of the Randwick Institution, my experience of all the committees of the Charities with which I am connected have been a failure, chiefly owing to their being unnecessarily large, and to so many of their members indulging in frequent bickerings and personalities and individual crochets, and also to so few of the members having sufficient time to devote to that personal supervision of the institution which is so desirable for them to exercise. I object also to power given by the rules of the Randwick Institution to the life directors to come in and vote on any occasion; on the whole, I believe the interests of the institution would be advanced by having a smaller Board; in my opinion a large Board is not well adapted to dealing with the appointments and dismissals of officers, or with other matters where a constant and personal interest in the affairs of the institution can alone give the experience which is essentially necessary to enable them to form a correct opinion. After an experience of twenty-five years of the working of the Sydney Charities, I am satisfied that it is desirable that the management should be transferred to the Government. It is true that such a course might interfere with the flow of private charity; but this would be more than compensated were a poor vote imposed which would cause the burden to fall upon the many instead of, as, at present on the few. If it could be shown that this course would be to the interest of the institution, I do not think that the supporters would object.

Rev. Canon
Stephen, 20
years hon. sec.

As regards the governing body, I am sure that the Board of Directors is too large; I consider that the house committee should not include more than nine members; I consider that the present powers of the life directors should be continued; I would leave the number of life directors as at present, but I would reduce the numbers of the directory and house committee. If matters continue as they are the sooner the institution falls into the hands of the Government the better, but if matters are mended we could very safely go on with a governing body.

J. G. Raphael,
Esq., director for
20 years.

I think that the Government ought to be represented in the governing body, in consideration of their large contribution, and the constitution ought to be recast.

Rev. Dean Sheri-
dan, a director
19 years, and on
house com-
mittee 16 years.

I think the house committee ought to be constituted so as to represent fairly the two denominations—Catholic and Protestant.

I think eight members would be enough to constitute the house committee. I am not aware of any evil having arisen from life directors having seats at the Board. The mischief I complain of has taken place at annual meetings, when persons have become subscribers for a private purpose.

I think that a governing body of twenty-four, including those who act *ex officio*, and a house committee of eight, will be sufficient.

Rather than the state of things such has obtained during the last three years should be permitted to continue, it would be far more desirable that the institution should be placed in the hands of the Government, as in the case of the Orphan Schools.

I am satisfied with the present constitution and administration of the present governing body. I do not think that a numerically reduced directory and house committee would conduce to the efficiency of the institution. In my opinion it would not be desirable for the Government to take over the management of the institution. I think it would be desirable, considering the large amount the Government subscribe, if they were represented on the directory to some extent.

J. Davies, Esq.,
M.L.A., director
12 months.

I am not satisfied with the present constitution of the governing body. I think it would be only fair and right, considering the proportion subscribed, that the Government should be represented on the directory by a number not exceeding three laymen. The institution could be satisfactorily managed under the present constitution if the sectarian element were eliminated. I see no hope of coming at this state of things unless all the members of the directory consist exclusively of laymen. Rather than see the present disturbances caused by the religious dissensions continue, I would assist the Government in taking the management of the institution into their own hands. I would not, however, recommend this to be done, but I would recommend the merger of all sectarian antipathy and struggle for power. I do not think the contributors would like to see the institution pass into the hands of the Government if it can be worked by a body of directors.

S.H. Pearce, Esq
director and
member of house
committee for
19 years.

I am satisfied with the constitution of the governing body. I would not reduce either the Board or the house committee in number. I never heard mooted the question of transferring the institution into the hands of the Government. My opinion is entirely against such a course. I would have no objection to the Government being represented on the Board.

J. Watkins, Esq.,
member of house
committee and
director for 2
years.

I am not satisfied with constitution of the governing body. I think there are too many on the Board; and I do not think that the directory should include more than eighteen members. I would exclude life directors, and give them some other honorary designation. I think the present condition of things leads to directors attending occasionally to vote upon subjects they know nothing at all about. My own idea is that the institution would be better managed by one Board only, consisting of seven members, two nominated by the Government, and the five elected by the subscribers.

I. J. Josephson,
Esq., member of
house committee
and director
4 years.

I am not satisfied with the present constitution of the governing body. I think that the Board and the house committee are too large. My experience has taught me that large Boards do not work well. I would reduce the directory to a number of twelve, and the house committee to seven. I think that it is very desirable that the Government should be represented both on the Board and on the house committee. I have had a feeling in favour of transferring the institution to the hands of the Government. I am not prepared to recommend such a course.

J. Dawson, Esq.,
director 12 years.

My own opinion is that it would be better for the children if the institution were taken in the hands of the Government. If it is conducted as it has been, in my opinion the Catholic authorities and people will have to take some special action. As things are now conducted the Catholic children are in a most dangerous position as regards their faith. The Catholic community will be alienated from the institution if the government of it is not altered. Since the last three years our community has taken less interest in the institution—this is on account of their having no influence on the Board.

Rev. Joseph
Garavel, Roman
Catholic chap-
ain 5 years.

It is clear that there was great room for improvement in the administration. I attribute the defects in some measure to the constitution of the governing body. I decidedly think that there are far too many members on the directory. I am of opinion that one Board of about seven would be a better governing body. It is also my opinion that the Government ought to be represented on the Board as long as they contribute so largely to the institution. I think it would have a bad effect upon the charitable disposition of the community if the Government were to take the institution entirely into their own hands, and thus stop private contributions. I do not think such a step would meet the approval of those who have subscribed largely. There have been dissensions on the Board, which I do not approve of, and which have injured the reputation of the institution.

W. M. Alderson,
Esq., director 12
years, house
committee
several years.

Sir E. Deas-Thomson,
K.C.M.G., C.B.
President since
1852.

At the commencement of the institution we began with a very small directory, and never contemplated such a large directory as we now have. I consider such a directory as we now have to be very inconvenient. I consider the system of having "life directors" very objectionable, because although there may be good reason, it is impossible to remove one, and it increases the size of the Board unnecessarily. In my opinion the Board of management should not exceed nine members. I think, seeing the large number of children who are admitted by order of the Government, and maintained at its expense, that it should have the power to appoint one-half or at least one-third of the governing body. I do not think the contributors would like to see the Charities fall into the hands of the Government unless the funds or management altogether failed.

B.

THE DESTITUTE CHILDREN'S ASYLUM.

Nothing in the Act of Incorporation nor in the By-laws to render it illegal or improper to admit illegitimate children. No distinction made between legitimate or illegitimate children. Nothing to restrain the Directors from admitting illegitimate children. Nothing in the By-laws to exclude illegitimate children.

I HAVE looked through the Act of Incorporation and the By-laws, and I can find nothing whatever which would render it illegal or improper for the directors to admit illegitimate children, nor on the other hand to render it compulsory on them to receive any such child.

It appears to me, in fact, that neither in the terms of foundation nor in the Act or the By-laws is any distinction made between legitimate or illegitimate children.

The terms of foundation are authoritatively stated in the preamble to the Act of Incorporation; and certainly the words there used are sufficiently comprehensive to take in all children in the destitute position there mentioned, without any reference to their being or not being the offspring of lawfully married parents.

The Act is equally comprehensive; for, in the first place, it is governed by the preamble already alluded to, and in the second place the enactments do not in any way restrict the powers of the directors so as to operate in exclusion of children not born in wedlock. If it should be said that the terms "child" and "father" have a legal signification which applies only to legitimate relations as child or father, the answer is that though this may be the case in reference to some questions, such as those averring rights of inheritance, yet that in such an Act as this, like that of 4th Victoria No. 5 (the Deserted Wives and Children's Act) these terms have no such restricted signification.

Then as to the By-laws, it seems to me clear that there is in them no trace of the intention adverted to. If it had been intended to exclude illegitimate children it would have been proper to make the exclusion plain in the second clause of the By-laws—a word or two would have sufficed, and these would surely not have been omitted unless the views of the founders and of the framers of the By-laws had been too broad to admit of the distinction; if indeed the first and second paragraphs could be interpreted in the sense of such exclusion, it is clear that the rule would apply equally to children admitted at the instance of the Government, under paragraph 3, inasmuch as that paragraph only extends to "children coming within any of the classes above enumerated" yet it seems that children sent by the Government are received without the qualification of legitimacy.

I have said that there is nothing to render it compulsory on the directors to receive any child who may be illegitimate. This remark is justified by the general character of the powers possessed by the directors under their appointments, and by force of the Act and By-laws, and more particularly by the proviso at the end of the 7th section of the Act, but the opinion must be understood only as applying to individual cases, and not as supporting a rule of general application for the exclusion of illegitimate children. Such a rule would in effect be a By-law passed by the directors and not by the general body, and it would be inconsistent with my view both of the Act and of the existing By-laws.

Possibly a new By-law regularly passed and completed for excluding illegitimate children might not be considered so clearly opposed to the Act of Parliament as to be illegal; but such By-law would have to pass the ordeal of discussion and decision by a general meeting, and of submission to the Governor and Executive Council and to the Parliament (see section 4 of the Act). It is not very probable that the exclusion would be sanctioned through all these stages.

Had the original founders decided on confining their benevolence to any one class however limited, or had the principal benefactors given their contributions for a select class the case would be very different; but I am not informed that such is the fact.

W. M. MANNING,
June 4, 1868.

A true copy,—G. F. Wise.

C.

NOMINAL RETURN of children who have been apprenticed from the Randwick Asylum, from January 14th, 1869, to December 31st, 1875, whose term of apprenticeship has terminated, for reasons assigned.

Memorandum.—During the period of above mentioned 621 children have been apprenticed from the institution.

Name of Apprentice.	Apprenticeship terminated for reason herewith assigned.	Name of Apprentice.	Apprenticeship terminated for reason herewith assigned.
M'Guinness John	Absconded from service	Lapronsky Walter	Absconded from service
Parsons Robert	Do.	Phillips John	Do.
Ferris Jane	Indentures cancelled	O'Brien Thomas	Do.
Mallon Patrick	Absconded from service	Munroe Thomas	Do.
Patmore Joseph	Do.	Clune John	Do.
Proctor Agnes	Do.	Watson William G.	Do.
Wagg Mary Ann	Do.	Smith Angelo	Do.
Kirby Fanny	Do.	Agnew David	Do.
Gregory Alfred	Do.	Power Peirce	Do.
Bragg William	Deceased	Briggs Charles	Do.
Winter Louisa	Indentures cancelled	Baker Emma	Indentures cancelled
Debull Alfred	Absconded from service	Skinner William	Absconded from service
Beck Mary	Indentures cancelled	Riley James	Do.
Johnson Robert	Do.	Barnes Alfred	Do.
O'Reilly William	Absconded from service	Fitzgerald John	Deceased
Gill Fanny	Indentures cancelled	Harris Catherine	Married
Parker Thomas	Absconded from service	Ashplant John	Deceased
Donnelly Francis	Do.	M'Gee William	Indentures cancelled
Lewis Allan	Indentures cancelled	Vaughan Thomas	Deceased
Gee George	Do.	Bonnar Alfred	Absconded from service
Brown Ellen	Absconded from service	Swanton William	Indentures cancelled
May Ellen	Deceased	Bourke Eliza	Do.
Blacker John	Indentures cancelled	Thompson Thomas	Absconded from service
Peirce Selina	Do.	Derrick Elizabeth	Indentures cancelled
Johannes Susan	Do.	M'Grath Elizabeth	Absconded from service
Finn Patrick	Absconded from service	Jacobs Emily	Do.
Viser Catherine	Do.	Rondall Barbara	Do.
Montgomery Sarah	Indentures cancelled	Dunleavy Ellen	Indentures cancelled
Snowden James	Absconded from service	Thurston Alfred	Deceased
Blair Agnes	Do.	O'Neal John	Absconded from service
Neway Charles	Do.	Scadden Benjamin	Indentures cancelled
Rowan Ellen	Indentures cancelled	Ross Louisa	Absconded from service
Smith John	Absconded from service	O'Brien Mary	Do.
Whitfield Walter	Do.	Scott William R.	Do.
Evans Eliza Jane	Do.	Mackenzie Francis	Do.
Eddington Eliza	Indentures cancelled		

GEORGE F. WISE,
Honorary Secretary, Society for Relief of Destitute Children.

APPENDIX.

D.

January 19, 1876.

Copy of Minute 7, folio 606.

House Committee.

Honorary Secretary reported that, in consequence of information received, on Monday last, from a boy named Ferney, who had absconded from the institution, and who had stated to him that he had been flogged, on the previous Monday, by the male attendant, Sproule, assisted by the under-schoolmaster, Craddock. He had at once proceeded to the institution. On investigation he had found that the boy's statement was absolutely false as regarded Craddock, inasmuch as Craddock had been absent from the institution since the previous Wednesday. The man Sproule positively denied having beaten the boy Ferney or any other boy; but that yesterday from further information received, and acting under the advice of Mr. Williams, the Crown Solicitor, he had taken immediate action as the legal representative of the Society, and had instituted proceedings against Sproule at the Water Police Office. The man was this day on his trial at the Police Office. Mr. Wise further stated that subsequent to his action in the above case he had received information that this same man Sproule had flogged another boy named Coles. He therefore asked for instructions as to what steps should be taken in this second case.

The action of the Honorary Secretary was unanimously approved of.

Certified as a correct extract from Minute Book.—G. F. WISE.

E.

Copy of Board Minute 5, page 235, January 19th, 1876.

The attention of the Board was specially directed to the report previously given by the Honorary Secretary to the House Committee, relative to his action in prosecuting the man Sproule for flogging a boy at the institution. The action by Mr. Wise, as Honorary Secretary and legal representative of the Society had been approved of by the House Committee. The action of the House Committee was now approved of relative to the further prosecution of Sproule.

Certified as a correct extract from Minute Book.—G. F. W.

F.

27 January, 1875.

Copy of House Committee Minute 5, folio 468.

Honorary Secretary reported that the Colonial Secretary and the Colonial Treasurer had requested to have the Band of the Institution for their Ministerial Picnic on the 26th instant, and that, having consulted with the Honorary Treasurer, instructions had been given to the Superintendent directing him to place the Band at the disposal of the Ministers. In consequence thereof the Band, accompanied by the Band-master and under the care of the officers of the Institution, had proceeded yesterday to the Picnic; the expenses attendant thereon being paid by the Ministers.

The action of the Treasurer and Secretary were approved of.

Certified as a correct extract from Minute Book.—G. F. WISE.

23 June, 1875.

Copy of House Committee Minute 15, folio 529.

Resolved that Mr. Pearce, Mr. Watkins, and the Honorary Secretary be authorized to take charge and look to the interest of the Institution during the absence of the Superintendent on leave to Grafton on account of his health.

Certified as a correct extract from Minute Book.—G. F. WISE.

4 November, 1874.

Copy of Board Minute 6, folio 198.

Letter read from the Superintendent in reference to an order received from the Honorary Treasurer and Honorary Secretary for the attendance of the Band and a number of children at the unveiling of the Statue of Captain Cook. Discussion ensued thereon; no resolution was submitted. It was however ruled by the Chairman, and agreed to by the Committee, that in the event of the Honorary Secretary giving instructions in an official manner, and in writing, to the Superintendent, he was bound to obey such instructions, and by so doing he would be personally freed from all responsibility incurred thereby.

Certified as a correct extract from Minute Book.—G. F. WISE.

G.

MEMORANDUM from G. F. Wise, Honorary Secretary of the Randwick Institution, January, 1876.

"IN 1856, 1857, and 1858, there was a paid Secretary. In 1859, for reasons then stated, the Rev. Alfred Stephen offered his services as the Honorary Secretary, on condition that a pecuniary allowance was made to him to cover expenses to which he would be rendered liable. At the same time, the Rev. Alfred Stephen insisted that the office should still be regarded as honorary, and that in no sense should he be treated as a paid officer. The Rev. Mr. Stephen's offer was gladly accepted by the Directors." At that date there were in the institution 162 children, and only 20 children were under indentures of apprenticeship. The allowance of £1 per week was then designated "forage allowance" to the Honorary Secretary, because at that time it was necessary he should keep a horse, there being no special public conveyance from Sydney to Randwick; but one or two years afterwards, in 1861 or 1862, a special omnibus was provided at the expense of the institution, to enable the Directors to proceed to Randwick to attend the weekly meetings of the House Committee. From 1859 to December 1871, the allowance was continued to be paid to the Honorary Secretary, the Reverend Alfred Stephen, without objection being raised by any one of the Board of Directors. In January 1872 I was nominated and elected at the annual general meeting as Honorary Secretary in lieu of the Reverend Canon Stephen resigned. At the full Board Meeting of the Directors on the 2nd of April following it was moved by Mr. Hanson "That the monthly payment to the Honorary Secretary should be discontinued," upon which an amendment was moved by the Dean Sheridan and carried almost unanimously, "That the payment of £1 per week as heretofore should be continued to the Honorary Secretary, but in lieu of the words 'forage allowance,' the words 'allowance for incidental expenses' should be inserted in the monthly abstract." There were then 809 children in the institution, and about 340 children under indentures of apprenticeship, increased at the present date to upwards of 500 children under apprenticeship. In various ways expenses were then and are now constantly incurred by the Hon. Secretary in connection with the institution, fully bearing out the statement made to me in a letter received from the Revd. Canon Stephen on the occasion of his retirement in 1871, "That no man should be asked or appointed to undertake the office of Hon. Secretary without an allowance to meet all manner of incidental expenses which are continually being incurred—were I asked what my opinion was, I should feel ashamed to offer the post of Honorary Secretary to any one without this allowance." The Rev. Canon Stephen adds—"I know that in various ways I should have been out of pocket if I had not had this allowance."

Extract from letter from Rev. Canon Stephen.

Copy of Minute passed at Board Meeting.

Extract of letter from Rev. Canon Stephen.

H.

H.

The Secretary to the Board to The Principal Under Secretary.

Randwick Institution,
20 March, 1876.

Sir,

I am directed by the Commissioners appointed to inquire into the management of the Society for the Relief of Destitute Children, to request that you will bring under the immediate notice of the Honourable the Colonial Secretary that, in the course of their inquiry, further disclosures have been made, indicating a continued ill-treatment of the children by one of the female officers, Mary Jane M'Cracken. And the Commissioners are of opinion that this officer should be forthwith suspended pending the results of the inquiry.

I have, &c.

WALDYVE WILLINGTON TARLETON,
Secretary.

I.

The Secretary to the Board to The Principal Under Secretary.

Randwick, 22 March, 1876.

Sir,

With reference to my letter of the 20th instant, conveying the recommendation of the Board that the female attendant, Mrs. M'Cracken, should be suspended, I am directed to request that you will inform the Honourable the Colonial Secretary that the Board have this day obtained further information respecting her conduct. It is clear to the Board that Mrs. M'Cracken is especially answerable either for concealing or for neglecting to discover injuries to the children. This has been followed by a recent serious charge of the same nature, which the evidence goes very far to establish. The Board are, therefore, decidedly of opinion that it would be to the interest of the Institution to dispense with her services.

In making this recommendation, the Board are sensible that the steps taken to protect the children from ill-usage have led to excitement on their part, and to a notion that they can set at defiance those placed over them, and also to a natural hesitation on the part of the officers to inflict even merited punishment,—a state of things prejudicial to the discipline of the establishment. The Board, therefore, think that the hands of the officers should be strengthened, and that there should be no hesitation in inflicting reasonable corporal punishment, in a public form, with the authority and in the presence of the Superintendent.

I have, &c.,

WALDYVE WILLINGTON TARLETON,
Secretary to the Randwick Board of Inquiry.

J.

RANDWICK INSTITUTION.

RETURN showing the extent of accommodation, in cubic measurement, of the several Dormitories occupied by the boys, girls and infants.

No. and name of Dormitory.	Cubic feet.	Present No. of occupants.	Capable of accommodating.	Cubic feet for each when full.	Remarks.
No. 1, Boys' Dormitory, 102 x 40 x 15 ft. 6 in.	63,240	148	150	421 $\frac{2}{5}$	Vacant.
No. 2, do. 50 x 40 x 15 ft. 6 in.	31,000	70	70	472 $\frac{2}{5}$	
No. 3, do. 50 x 40 x 12 ft.	24,000	.....	80	300
No. 1, Infants' Dormitory, 50 x 30 ft. 4 in. x 15 ft.	48,960	150	150	326 $\frac{2}{5}$	Vacant.
No. 2, do. 102 x 40 x 12 ft.	22,740	55	58	392 $\frac{2}{5}$	
No. 1, Girls' Dormitory, 51 x 30 x 14 ft. 9 in.	32,890	60	64	513 $\frac{2}{5}$	
No. 2, do. 50 ft. 8 in. x 30 x 14 ft. 9 in.	22,420	60	60	372 $\frac{1}{10}$	Vacant.
No. 3, do. 50 x 30 ft. 4 in. x 14 ft. 9 in.	22,361	58	60	372 $\frac{2}{5}$	
No. 4, do. 50 x 30 ft. 4 in. x 14 ft. 6 in.	21,982	.....	60	366 $\frac{1}{10}$
No. 5, do. 30 x 30 ft. 4 in. x 12 ft.	10,920	46	237 $\frac{2}{5}$	Vacant.

NOTE.—Estimated vacant accommodation for about 200. Average number in hospital from each dormitory:—Boys, 5; girls, 7.

J. M. MAY, Superintendent.

K.

CATHERINE HAYES HOSPITAL, RANDWICK INSTITUTION.

RETURN showing the extent of accommodation in cubic measurement of the several Wards of the Hospital.

No. of Ward or Dormitory.	Cubic feet.	Present number of Occupants.	Capable of accommodating.	Cubic feet for each when full.	Remarks.
No. 1 Dormitory—57 x 26 x 16...	23,712	26	26	912	In the event of an epidemic the day rooms may be converted into dormitories, and the number of beds in the dormitories slightly increased.
No. 2 do. 57 x 26 x 16...	23,712	26	26	912	
Sick Ward—30 x 14.6 x 16	6,960	2	8	870	
No. 1 Day Room—57 x 26 x 16...	23,712	.....	.....	.....
No. 2 do. 57 x 26 x 16...	23,712*	.....	.....	.....

J. M. MAY,
Superintendent.

* No. 2 day room when required, is converted into a dormitory for sick children.

APPENDIX.

L.

TABLE showing the Number of Children who have been admitted in each year since the establishment of the institution in 1852.

Year.	Number admitted.		Year.	Number admitted.	
	Boys.	Girls.		Boys.	Girls.
1852	33	38	1865	133	97
1853	17	15	1866	108	96
1854	10	5	1867	121	120
1855	31	32	1868	79	60
1856	21	22	1869	143	118
1857	4	3	1870	111	83
1858	16	15	1871	94	86
1859	29	20	1872	66	63
1860	60	31	1873	87	62
1861	39	32	1874	71	47
1862	19	13	1875	41	30
1863	126	92	Totals.....	1,552	1,252
1864	93	72	Grand total	2,804	
Total					

Since the establishment of the institution in 1852, the number of children who have benefited by the operations of the Society have amounted to a total of 2,804, who are thus accounted for, viz. :-

Apprenticed under indentures for 6 years.....	{ 515 boys. 423 girls.
Restored to parents	1,113
Died in 23 years	182
Remaining in Asylum on December 31st, 1875.....	{ 335 boys. 236 girls.
Total received.....	2,804

M.

ABSTRACT of Return notifying the different trades, callings, and religious persuasions of the children apprenticed from the Destitute Children's Asylum at Randwick since the foundation of the Society in 1852, to December 31st, 1875.

Boys.

Religion.	Domestic Servants.	Farm Servants.	Agriculturalists.	Gardeners.	Grocers and Bakers.	Butchers.	Shoemakers.	Tailors.	Painter and Brushmaker.	Hairdressers.	Watchmaker.	Printers.	Engineers.	Wheelwrights.	Locksmiths, Carpenters, and Cabinetmakers.	Machinists and Brass Finishers.	Potters.	Shipwrights.	Mariners.	Chimney-sweep.	Total.
Protestant	199	48	11	6	6	...	17	7	1	...	1	7	2	1	5	2	2	3	3	1	322
Roman Catholic	134	43	3	2	4	2	8	1	1	2	...	2	...	1	...	...	...	...	2	...	205
																					527

GIRLS.

Religion.	Domestic Servants.	Teachers in Institution.	Total.
Protestant	238	1	239
Roman Catholic	171	1	172
			411

Total 938 apprentices.

Sydney, 31 December, 1875.

GEORGE F. WISE,
Honorary Secretary.

N.

RANDWICK ASYLUM. BOYS' MORNING STATE, 12 APRIL, 1876.

Distribution. Strength, 211.

Patients in hospital	14	
Servants	1	
Kitchen boys and bakehouse	7	
Shoemakers	8	
Tailors	4	
Carpenters	2	
Office and store boy	1	} Alternate weeks and school.
Gate	1	
Special duty	1	
Yard and steps	3	In school at 10.30 a.m.
Engineers	4	
Knives and spoons.....	4	Attend school till 11.40 a.m.
Garden	7	
Farm	18	
<hr/>		
Total	75	
In school.....	136	
<hr/>		
Grand Total	211	

O.

November 15, 1871.

THE Superintendent finds it necessary to draw the attention of the several officers to the following general order of the Committee:—

No subordinate teacher or other officer is allowed to punish any child, but is required to report any disorderly conduct (if occurring in the room) to the schoolmaster or schoolmistress, as the case may be; and no corporal punishment, excepting of a most trifling nature, is to be administered without the authority of the Superintendent; and the Superintendent, who now further directs that any marks of a cane that may be observed on a child, whether caused accidentally or otherwise, an immediate report of the circumstances is to be made to the Superintendent.

The above memo. to be read and initialled by the several officers, and by them it is to be made known to servants and others.

True copy,— J. M. MAY,
Superintendent.

P.

EXTRACT from the Board Minutes and from the Minutes of the House Committee, relative to the removal of the Roman Catholic altar from the girls schoolroom at the institution.

October 26, 1870.

House Committee.

NAMES OF MEMBERS PRESENT:—Mr. J. G. Raphael, Rev. J. Milne, Messrs. Joseph Thompson, Pearce, Friend, Powell, and Wise.

It was proposed and resolved that the Rev. J. F. Sheridan be requested to cause the removal from the girls' schoolroom of the cedar case or stand surmounted by a cross which had been placed there by, and was the property of, the Rev. H. N. Woolfrey.

November 16, 1870.

House Committee.

NAMES OF MEMBERS PRESENT:—Revs. Hulton S. King, T. Wilson, F. Sheridan, and J. Milne, Messrs. Wise, Powell, Pearce, Alderson, and Joseph Thompson.

REFERENCE having been made to the resolution, dated October 26th, 1870, relative to the removal of the altar placed in the girls' schoolroom by the Rev. H. N. Woolfrey,—discussion ensued. Resolved, at the request of the Rev. J. F. Sheridan, that decision on this question be postponed until next meeting of the Committee.

November 30, 1870.

House Committee.

NAMES OF MEMBERS PRESENT:—Rev. Hulton King, Rev. J. F. Sheridan, Messrs. Powell, Joseph Thompson, Friend, Wise and Pearce.

Moved by Mr. Joseph Thompson, seconded by Mr. Pearce, and carried—It having been reported to the House Committee that an altar has been erected in the girls' school of the Asylum without their sanction, and that the service of the Mass if performed thereon,—this Committee, believing it to be an infringement of the rules, and contrary to the wishes of the founders of this institution, are desirous of an expression of opinion from the Board on this matter.

December 7th, 1870.

Board Minute.

NAMES OF MEMBERS PRESENT:—Hon. Sir E. Deas Thomson, Revs. J. F. Sheridan, T. Wilson, and Dr. Lang, Messrs. Joseph Thompson, Powell, Dawson, Pearce, Birrell, Friend, Humphrey, Hills, Metcalfe, and Alderson.

THE matter of the removal of the altar from the girl's schoolroom referred to Board by House Committee. See minute 15, folio 403.

Moved by Mr. Hills, seconded by Mr. Alderson, and carried—That the proposal made by the Rev. J. F. Sheridan to have the altar in schoolroom so enclosed as to correspond exactly in appearance with the press at the other end of the room to the satisfaction of the House Committee be adopted.

January 6, 1871.

NAMES OF MEMBERS PRESENT:—Rev. Canon Stephen, Hon. George Allen, Revs. T. Wilson, J. Cunningham, Dr. Lang, J. F. Sheridan, J. Milne, Geo. King, Hulton King, Messrs. Powell, Dawson, Alderson, Humphrey, Clarke, Birrell, Metcalfe, Hills, Wise, Friend, Joseph Thompson, Raphael, Pearce, and Hanson, life directors.

Special Meeting, called by requisition, to consider the advisability of rescinding the resolution of Board Minute dated December 7, 1870, as to the altar in Schoolroom.

Moved by M. J. G. Raphael, seconded by Mr. Humphrey, and carried—That the resolution of the Board (See December, 7th) as to the altar in schoolroom, be now rescinded.

January

January 18th, 1871.

NAMES OF MEMBERS PRESENT:—Hon. Sir E. Deas-Thomson, Revds. G. King, J. F. Sheridan, T. Wilson, Dr. Lang, Canon Stephen, and J. Milne, Messrs. Pearce, Birrell, Raphael, Dutruc, Alderson, Hills, Powell, Metcalf, Wise, Humphery Friend, and Clarke.

Board Minute.

Removal of Roman-Catholic altar from schoolroom.

Moved by Mr. John Birrell, seconded by Rev. Dr. Lang, and carried,—That the Chaplain's services be respectfully dispensed with from the 1st of February next, in the building of the institution, and that the children attend their respective places of religious services as before the Chaplains were appointed, but the salary continue the same.

February 1st, 1871.

NAMES OF MEMBERS PRESENT:—Rev. Canon Stephen, Hon. George Allen, Revds. T. Wilson, Dr. Lang, J. Dwyer, J. F. Sheridan, and J. Cunningham, Messrs. Joseph Thompson, Powell, Birrell, Wise, Pearce, Raphael, Dawson, Hills, and Clarke.

Copy of Board Minute.

Mr. Birrell stated to the meeting that the Roman Catholic altar had been removed from the girls' schoolroom.

February 1st, 1871.

NAMES OF MEMBERS PRESENT:—Revds. Canon Stephen, Cunningham, T. Wilson, J. F. Sheridan, Messrs. Pearce, Wise Powell, Raphael, Clarke, and Hills.

House Committee—Copy of Minute.

The Superintendent reported that the Roman Catholic altar had been removed from the girls' schoolroom.

June 7th, 1871.

NAMES OF MEMBERS PRESENT:—Rev. Canon Stephen, Hon. George Allen, Revds. Dr. Lang, H. King, T. Wilson, and J. Cunningham, Messrs. Powell, Fraser, Joseph Thompson, Dawson, Murphy, Humphrey, Pearce, Wise, Birrell, Friend, Metcalf, and Hills.

Board Minute.

Mr. Friend moved, Mr. Humphery seconded, and carried,—That all the children over 8 years of age that are capable of attending their places of worship may do so every Sunday, weather permitting, under the superintendence of their officers, and that the younger children be attended to by their respective Chaplains within the building.

Q.

April 16th, 1873.

Copy of House Committee Min., 19, folio 214.

NAMES OF MEMBERS PRESENT:—Mr. S. H. Pearce; Revds. Z. Garravel, T. Wilson, and Revd. Dean Sheridan; Messrs. Powell, Penfold, Paxton, Josephson, Wynne, Wise, and Hills.

APPOINTMENT of Roman Catholic schoolmistress, in place of Miss Joyce, resigned. There were three applicants in attendance, viz.:—Miss Duffy, Miss Lynch, and Miss O'Brien, who severally presented their letters of recommendation, also certificates from the Council of Education.

Moved by Rev. Z. Garravel, seconded by Rev. J. F. Sheridan—That Miss Duffy be appointed to the office of schoolmistress.

An amendment was moved by Mr. Josephson, seconded by Rev. T. Wilson—That the appointment of a schoolmistress be postponed for a fortnight, and that advertisements, as before, be inserted in *Herald* and *Empire*.

Mr. Penfold moved, Mr. Powell seconded, a further amendment—That Miss O'Brien be appointed to fill the office of schoolmistress. On being put to the meeting, the amendment to postpone the appointment for a fortnight was carried.

April 30th, 1873.

Copy of House Committee Min., 11, folio 219.

NAMES OF MEMBERS PRESENT:—Mr. Joseph Thompson; Revds. T. Wilson, Hulton King, Dean Sheridan; Messrs. Powell, Wynne, Pearce, Penfold, Josephson, Hills, Wise, and Allen.

APPOINTMENT of Roman Catholic Schoolmistress. Letter from Miss Duffy, withdrawing her application. Letter from Miss Adrain and Miss Lynch, also from Miss O'Brien, who personally presented letters of recommendation from Rev. Dr. Forrest and Mr. M'Dermot.

Mr. Pearce moved, Mr. Powell seconded and carried—That Miss O'Brien be appointed to fill the office of Roman Catholic schoolmistress, at the salary as fixed by Minute 7, April 2/73.

R.

MEMO. of Cost of Farming operations at the Randwick Destitute Children's Asylum for the year 1875. The figures are taken from the books, and supplied by Mr. Coulter, secretary to the Sub-Committee.

	£	s.	d.	£	s.	d.
To wages—Harvey	109	10	0			
Bryant	104	0	0			
Maher	101	14	0			
Herdsmen	30	0	0			
Rations, say	20	0	0			
				365	4	0
To amount for—Hay	395	0	0			
Corn	33	14	0			
Bran	91	4	0			
				519	18	0
Allow for wear and tear of horses, implements, shoeing, &c.				50	0	0
				935	2	0

The above may be considered as the cost of milk, and such vegetables as have been supplied from the farm; the latter could not have been very much, seeing that the sum paid for potatoes during the same period was

During our inquiry for two weeks ending 26th February and 4th March, the average daily supply of milk was 111 quarts. The Superintendent in his evidence states that 80 or 100 quarts daily is all sufficient. The Infirmary is supplied by contract at 3½d. per quart for one period, and 3¼d. for another. If the 80 quarts daily is sufficient, even at 4d. per quart, the cost would only be

486 13 4

In the foregoing statement no notice has been taken of the number of boys employed upon the farm, and the wear and tear connected with their labour.

The land and farm dwellings would let for a fair rental.

JOHN DAWSON.

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

GOVERNMENT ASYLUMS FOR INFIRM AND DESTITUTE.

(REPORT FROM MANAGER, RELATIVE TO EXPENDITURE FOR 1875.)

Ordered by the Legislative Assembly to be printed, 3 August, 1876.

THE MANAGER OF THE GOVERNMENT ASYLUMS FOR THE INFIRM AND DESTITUTE TO THE PRINCIPAL UNDER SECRETARY.

Manager's Office,
Sydney, 26 July, 1876.

SIR,

I have the honor to transmit, for the information of the Honorable the Colonial Secretary, Returns of the Expenditure of the Government Asylums for the Infirm and Destitute for the year 1875, and a Comparative Return of the Expenditure of the thirteen years 1863 to 1875 inclusive, and to request that, as has been customary, they may with this Report be laid before Parliament.

I desire, as usual, to call attention to a few facts connected with the management of the Asylums, as brought out in these returns.

The total number of applicants for admission during the year was 1,799, or 191 in excess of the previous year; of these, 265 women were admitted to the Hyde Park Asylum, 376 men to the Parramatta, 866 men to the Liverpool Asylum (in all 1,507 persons), while 292 applicants were refused, their cases being unsuitable for admission.

The average number of inmates of the three Asylums during the past year was—

Sydney—Females	...	...	...	...	232
Parramatta—Males	...	...	...	...	262
Liverpool—Males	...	...	...	...	644
					906

Total... .. 1,138

showing a decrease in the numbers of the previous year of only two persons.

The number and percentage of deaths, and the average age of the inmates who have died in the Asylums during the past year, were as follows:—

	Deaths.	Percentage.	Average age.
Sydney—Females	72	31	77
Parramatta—Males	44	16	67
Liverpool—Males	226	35	66

It appears necessary to state, with reference to the large percentage of deaths in the Liverpool Asylum, that the institution has gradually become the resort of large numbers of invalids who, having been treated in the Infirmary and other hospitals throughout the country, are, when considered incurable, and in many instances suffering from diseases certain to prove fatal within a short time, admitted to the Liverpool Asylum to die.

In an Asylum containing 650 infirm and helpless paupers, of whom 230 are bedridden and constantly under treatment in the hospital wing, and where 866 paupers have been admitted during the year, of whom thirty-six have died within three weeks of their admission, it can hardly be said that the number of deaths is excessive. Again, the Liverpool Asylum, with its perfect hospital arrangements, its complete appliances, its spacious wards, and its vicinity to the railway station, rendering it more convenient, as compared with the Parramatta Asylum, for the removal of helpless paralytics from the train to the Asylum, is invariably chosen for the admission of bad cases. Were the Asylum authorities empowered to detain aged and infirm persons in the Asylums whose health would evidently suffer from exposure and hardship, the difficulty of keeping them alive would be much lessened; but as the practice is still pursued of allowing inmates to leave the Asylum just when they choose, to be readmitted in a broken-down and frequently dying state, it appears impossible to keep the number of deaths within reasonable limits. The expenditure for the transmission of paupers from the country gaols and hospitals is very large, but when it is increased by the wandering propensities of the inmates, as above stated, it becomes a question whether the authority required to enforce the detention of sick or imbecile paupers in the Asylum should not be sanctioned.

The total expenditure for the maintenance of the above 1,138 paupers for the past year has amounted to £16,288 1s. 9d., showing an average expenditure per head of £14 6s. 3d., or 13s. 11½d. more than that for the previous year. This can only be accounted for by the increases to salaries and allowances to inmates, and the increased price of provisions and other necessaries, the Asylums having been conducted under the same control and system as have been found to be so successful, both as regards sanitary condition and economical management; and when it is observed that the expense per head has ranged during the past thirteen years from £11 4s. 7½d. to £14 14s. 7d. with an average of £13 4s. 1d., it must be acknowledged that a proper and efficient supervision has been exercised.

The above remarks are now applicable, as the Board of Management who took charge of the Asylums in the year 1862, and have carried on their functions till the beginning of the present year, have retired from the positions they have held for so many years with credit to themselves and great advantage to the Country and to the poor old people who have largely benefited by their skill and care.

The system of employing the old people in performing the work of the Asylums is economical and effective, and conduces very much to the self-respect and comfort of the inmates themselves, who work willingly and thankfully for an allowance of 2d. to 4d. per diem. With the exception of the baker at the Liverpool Asylum there is not one hired servant in the Asylums.

I have, &c.,
FREDERIC KING,
Manager.

RETURN of the Expenditure of the Government Asylums for the Infirm and Destitute for the year 1875.

Asylum.	Average number of inmates.	Salaries and Wages to Inmates.		Rations.		Clothing.		Contingencies.		Total.	
		Total.	Average per head.	Total.	Average per head.	Total.	Average per head.	Total.	Average per head.	Total.	Average per head.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Sydney	232	579 18 10	2 9 11½	1,692 3 1	7 5 10½	581 4 2	2 10 1½	461 16 3	1 19 9½	3,315 2 4	14 5 9½
Parramatta.....	262	550 8 4	2 2 0	2,163 8 5	8 5 1½	702 3 3	2 13 7	558 2 8	2 2 7½	3,974 2 8	15 3 4½
Liverpool.....	644	1,382 4 1	2 2 11	5,037 2 10	7 16 5	1,260 6 7	1 19 1½	1,319 3 3	2 0 11½	8,998 16 9	13 19 6½
	1,138	2,512 11 3	2 4 11½	8,892 14 4	7 15 9½	2,543 14 0	2 7 7½	2,485 7 8	2 1 1½	16,288 1 9	14 6 3

FREDERIC KING,
Manager.

Sydney, 26th July, 1876.

DETAILED Statement for 1875.

	Sydney.		Parramatta.		Liverpool.		Total.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
Salaries.....		579 18 10		550 8 4		1,382 4 1	2,512 11 3
Food.....	1,410 0 7		1,619 14 0		4,021 15 8		
Medical comforts.....	56 11 4		224 5 1		446 4 9		
Vegetables.....	137 12 8		53 1 7		135 7 8		
Gratuities.....	46 19 0		105 15 0		250 11 10		
Milk.....	40 19 6		160 12 9		183 2 11		
		1,692 3 1		2,163 8 5		5,037 2 10	8,892 14 4
Clothing.....		581 4 2		702 3 3		1,260 6 7	2,543 14 0
Contingencies.....							
Working expenses.....			18 14 1		116 8 9		
Advertisements.....	0 5 0		0 5 0		0 5 0		
Fuel.....	92 10 2		119 17 6		231 17 6		
Medicine.....	86 9 8		60 10 3		122 7 5		
Water.....			56 6 0		204 0 0		
Burials.....	96 16 0		66 2 0		251 13 0		
Medical certificates.....	3 3 0				6 6 0		
Light, &c.....	39 19 6		12 14 4		23 17 6		
Soap, &c.....	31 17 6		24 8 3		39 5 0		
Straw.....	23 13 6		23 2 6		44 16 9		
Rent.....	20 16 8		55 0 0		54 0 0		
Ironmongery.....	48 19 3		75 5 0		188 1 7		
Sundries.....	17 6 0		46 7 9		36 4 9		
		461 16 3		558 2 8		1,319 3 3	2,339 2 2
		3,315 2 4		3,974 2 8		8,998 16 9	16,288 1 9

FREDERIC KING,
Manager.

Sydney, 26th July, 1876.

COMPARATIVE RETURN of the Expenditure of the Government Asylums for the Infirm and Destitute at Sydney, Parramatta, and Liverpool, for the years 1863 to 1875.

Year.	Average number of Inmates.	Salaries and Wages to Inmates.		Rations.		Clothing.		Contingencies.		Total.	
		Total.	Average per head.	Total.	Average per head.	Total.	Average per head.	Total.	Average per head.	Total.	Average per head.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1863	624	1,958 0 9	3 2 9	4,463 5 10	7 6 0½	988 16 8	1 11 8½	1,584 15 0	2 1 9½	8,995 18 3	14 8 3½
1864	673	2,013 15 10	2 19 10	4,944 17 0	7 6 11½	1,047 3 9	1 11 1½	1,211 14 6	1 16 0	9,217 11 1	13 13 10½
1865	721	2,125 2 2	2 18 11½	4,905 0 7	6 16 0½	2,107 10 10	2 18 8½	1,483 7 0	2 1 2	10,621 0 8	14 14 7
1866	856	2,299 15 5	2 13 8½	5,982 14 2	6 19 9½	1,746 7 11	2 0 9½	1,870 12 0	2 3 8½	11,899 9 6	13 18 0½
1867	931	2,742 10 10	2 18 10½	5,961 19 8	6 8 0½	2,467 8 7	2 13 0	2,098 10 8	2 5 0½	13,270 9 9	14 5 0½
1868	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
1869	970	2,571 6 4	2 13 0	6,324 7 7	6 10 4	1,943 12 10	2 0 0½	1,602 4 1	1 13 0½	12,441 10 10	12 16 6½
1870	997	1,781 10 8	1 15 8	6,085 19 1	6 2 1	2,033 18 11	2 0 9½	1,343 16 10	1 6 11	12,245 5 6	11 5 9
1871	1,065	1,819 0 5	1 14 2	6,380 16 5	5 19 10	2,148 10 0	2 0 4	1,612 2 2	1 10 3½	11,960 9 0	11 4 7½
1872	1,105	1,976 13 0	1 15 9½	6,467 15 2	5 17 0½	2,414 12 9	2 3 8½	1,826 11 3	1 13 0½	12,687 1 5	11 9 7½
1873	1,096	2,027 16 4	1 17 0	7,422 19 0	6 15 5½	2,304 11 7	2 2 0½	2,018 9 6	1 16 10	13,773 16 5	12 11 4
1874	1,140	2,236 13 1	1 19 2½	8,333 11 8	7 6 2½	2,777 8 11	2 8 8½	2,059 4 4	1 16 1½	15,405 18 0	13 10 3½
1875	1,138	2,512 11 3	2 4 11½	8,892 14 4	7 15 9½	2,543 14 0	2 7 7½	2,485 7 8	2 1 1½	16,288 1 9	14 6 3
	945	2,210 5 6½	2 8 4½	6,369 12 2½	6 15 5	2,033 14 5½	2 2 11	1,763 8 9½	1 16 11½	12,442 16 8½	13 3 11½

Sydney, 26th July, 1876.

FREDERIC KING,
Manager.

1875.

NEW SOUTH WALES.

NAUTICAL SCHOOL SHIP "VERNON."

(REPORT FOR THE YEAR ENDED 30 JUNE, 1875.)

Presented to Parliament by Command.

THE SUPERINTENDENT, N.S.S. "VERNON," to THE PRINCIPAL UNDER SECRETARY.

N.S.S. "Vernon,"

3 September, 1875.

SIR,

I have the honor to transmit, for the information of the Honorable the Colonial Secretary, the usual annual Report of this institution, ending 30th June last. This would have been forwarded earlier, but for extra duty contingent on the late sickness of the inmates of the institution.

The health of the boys was wonderfully well during the epidemic of sickness on shore, and I believe we would have escaped it altogether if it had not been imported into the ship by an unfortunate imbecile who was forwarded on to us from the Bathurst Gaol in March last, he having been there for medical treatment. The consequence of thus sending a sick imbecile among our healthy boys was the illness of nearly all in the ship and the death of three,—entailing an extra expense on the institution and the Government of two hundred and seventy-three pounds, besides having to land the boys in tents and throwing the whole institution out of working order for four months.

Deaths, 3.

From the same place (Bathurst) was also sent to us an insane boy suffering from chicken pox. I had to take this boy on shore and hand him over to the police, when he was sent to an asylum.

I Magistrates sending insane children.

It would be of service if a circular was sent to all Magistrates not to forward children to any institution that were suffering from contagious and infectious disease. By following a rule of this kind it would be an ultimate great saving to the Government.

While upon the health of the inmates, I think it my duty to point out that we are very awkwardly placed for medical attendance. Our Visiting Surgeon resides at Balmain, and when he may be required on any sudden emergency it is impossible to get at him in time for effectual prompt service; for instance, if it is blowing hard, which has been the case several times, the risk is too great to send away a boat with boys, perhaps most of them very small. On the other hand, when I have sent to Sydney and telegraphed for the doctor, he may have been out attending other sick, and the time before he reached the ship in a waterman's boat would necessarily be several hours after the time when first required; we are therefore compelled to deal with and use the best of our judgment in all cases until we can obtain the doctor. While we have the steam-launch we certainly can obtain him quicker than we would otherwise be able to do, and if only for this one purpose the boat is of great service. For some time back it has struck me that our plan of a medical officer attending only once or twice a week, and on emergencies when sent for, is seriously faulty. To obviate this, I think it would be better for the Government to pay a doctor £100 per annum, and stipulate that he attended the institution daily, as Dr. Alleyne did formerly, without pay. Thus any sickness could be dealt with when the first symptoms appeared, and any outbreak of contagion or infection checked at once, besides seeing the new arrivals as they came into the ship before they had time to infect any of the others with disease. It would also then be worth while for the medical officer to give more of his time to the inmates when sick and look into their several cases closely. I suggest this alteration to the Government as worthy of their consideration, as I am of opinion that altogether, instead of an extra charge against them, as it seems at first sight, it will be a saving. Take, for instance, our great unexpected outlay of £273. The charges do not stop at that, for in moving the ship the windlass had to be repaired, ropes carried away, and new to be obtained to replace them, boats more or less damaged, and extras of all kinds,—making, on a rough estimate, about £500.

The distance of medical officer from the ship.

Steam launch—service of.

More frequent attendance of medical officer.

Necessity of inspecting new arrivals.

The suggestion made for the great benefit of the institution.

The usual landing for church on Sundays has been interrupted during the last year through the unprecedented sickness. Table 12 contains a record of the visits of clergymen and religious instructors. It

Landing for church.

will be seen by that that the Roman Catholic clergyman, the Rev. Father Ambrosoli, attended twenty-six times, and the religious instructors to the Protestants, forty-six times; a clergyman from the Church of England, four times. The religious instructors to the Protestants are Sunday-school teachers, not clergymen. The Rev. Father Ambrosoli deserves all praise for the time he has devoted to the children. In one instance I sent

Visits of clergymen and religious instructors.

for him in the middle of the night, and he came off at once without hesitation. The Presbyterian teachers have also come off at all times, and been ready to come when we could not send a boat for them, in boisterous and stormy weather.

Routine interrupted by sickness.

The usual routine of pulling in boats, gun and sail drills, also other ship's work, has been so much interrupted with sickness that the present inmates are only now beginning to learn the necessary work.

School.

Table 13 gives a general view of their educational attainments. They have been attentive and made fair progress. Appended is a report from the schoolmaster.

Admissions and discharges.

The admissions during the year have been sixty-eight; discharged and apprenticed, sixty-one. Apprenticed to 30th June, 1875, 329; passed through the books since inauguration, 532.

John M'Grane.

Table 11 shows a statement of their conduct, as far as I can obtain a report and trace their career. One of our old boys called on board a few days back, to see the ship and officers, and thank us for our kindness to him when on board. He was gazetted in the Government Gazette of the 31st ultimo as Line-repairer at Kiama, in the Electric Telegraph Department. There is not the slightest doubt this institution was the saving and making of this man, as he has already told me.

John M'Evoy, first apprentice from the ship.

Another, John M'Evoy, the first boy that was apprenticed from the ship, on the 25th May, 1868, to the "Ashburton," as a sailor, is now in Sydney, with a discharge from his ship, the "Argonaut," as able seaman. He has passed round the globe, visited England, and returned here to sail and work out of his native port.

Good done by the ship.

The gentlemen who founded this institution can well claim credit for the saving of these men, with many others I can point out. And of the present apprentices from the ship, I will give a few extracts of reports from their masters.

General conduct of the present apprentices from the ship.

James W. Boydell, Esq., of Camyrallen, writes:—"I have much pleasure of reporting to you that my apprentice, Thomas Fay, has on the whole behaved himself very well during the time he has been with me."

Thomas Fay.

Joseph Weeks.

Mr. Sebastian Gerrard, of Boorie, Lismore, writes:—"My apprentice, Joseph Weeks, has conducted himself very well."

Edw. Ross.

Mr. William Ridgway, of Stroud, writes:—"He is progressing favourably in domestic affairs, and will perhaps in course of time prove of great service to me; at present he is well, and quite contented."

Samuel Biles.

Mr. George Relf writes:—"Biles has behaved himself very well; he is very honest, and I have no fault to find with him."

Thomas Clayson, shoemaker.

A boy who when he came into the ship was quite an imbecile, and more fit for an asylum than this institution, is reported of thus:—"My father requests me to write to you and state that Thomas Clayson has given him every satisfaction since he wrote to you last; that he is well-behaved, and learning his trade well, though he is not so good a tradesman as he might have been, had he been less dull in his wits." Signed—J. P. M'Guane, Campbelltown.

Viera, Gabriel, and Walker.

John Browne, Esq., J.P., of Singleton, writes:—"The three apprentices are pretty satisfactory; Viera is here, Gabriel and Walker are at the Liverpool Plains station."

O'Donnell and Lavender.

Mr. John Swan, of Lemongrove, Paterson, writes:—"The boys O'Donnell and Lavender, the first is a good intelligent lad, I believe he will make a first class farmer; the other is weak, and not in good health, but willing and obedient; on the whole they are satisfactory."

Hancock and Donnelly.

Mr. W. M. Wallis, of Sandiwell, Young, writes:—"Hancock and Donnelly have conducted themselves very well since their arrival here; they are well disposed and obedient, and take an interest in their school studies (I have them taught for an hour or two every evening); in another year I am in the hopes of making them very useful."

Thomas Brett.

John Kelly, of Popran, Brisbane Water, writes:—"Thomas Brett is conducting himself tolerably well. His father does not seem to be at all satisfied at him being here; he sends very strong letters to his son, which makes the boy sometimes discontented and less useful than he might otherwise be."

Frederick Olsen

Mr. S. Newby, of Riby Grove, Richmond River, writes:—"My apprentice has conducted himself well with one exception, when he was advised to run away; since then he seems quite reconciled."

Edward M'Evoy.

These two reports show the evil influence the parents make use of when they find out the whereabouts of their children. Thomas Cook, Esq., Turanville, Scone, writes:—"The boy Edward M'Evoy is conducting himself satisfactorily, and has improved the last six months." This is a brother of John M'Evoy, the first boy apprenticed from the ship.

Samuel Wilson, Wm. Lawsing.

O. E. Middleton, Esq., J.P., of Phoenix Park, writes:—"The conduct of the two apprentices from the 'Vernon,' in my employment, taken altogether, has been very good. I find them very useful indeed and would not willingly part with either. The instances in which the 'Vernon' boys go wrong in most cases arise from mismanagement; the wholesome discipline of the ship is at once dropped, and the boys are allowed far too much liberty, and become demoralized. I have had four of them, and though the effects of early neglect were discernible, the training of the ship was very much more so, and I had no unusual difficulty in making useful servants and willing ones too of them."

Arthur Pearsall.

Mr. R. Weeks, of Ryde, writes:—"Arthur Pearsall has behaved himself in a manner satisfactory to me."

J. W. Robertson, William Quigley.

Mr. Thomas Davis, of Terrigal, Brisbane Water, writes:—"John W. Robertson and William Quigley, their conduct since their arrival under my supervision has been generally good."

J. Murphy.

A boy who had a doubtful report last year is now reported by Mr. Joseph Page, of Ramornie, thus:—"The boy Murphy has conducted himself very well, considering his uncertain temper; with management I think he will turn out a good lad."

George White.

Mr. A. A. Dunnicliffe, Burrawang, writes:—"George White, I have pleasure in stating, is giving great satisfaction; he is steady, respectful, honest, and industrious."

James Bellingham.

Mr. W. Small, of Ryde, writes:—"James Bellingham has conducted himself to my entire satisfaction."

James Cavill.

E. O. Moriarty, Esq., reports:—"I have much pleasure in reporting that the general conduct of James Cavill has been very satisfactory."

Thos. O'Donnell, John Cleary.

Mr. W. Nicholson, of Aberglassy, West Maitland, writes:—"I have much pleasure in informing you that my two apprentices, Thomas O'Donnell and John Cleary, have conducted themselves to my entire satisfaction."

Sydney Smith.

Mr. John Hurley writes:—"The lad Smith, apprenticed to me, I desire to say has behaved himself very creditably, in fact I would not part with him on any account. I find he is much more useful than any."

any man I have had, and could set an example to many so called housemaids, and if only 20 per cent. of your lads turn out like Smith you will be well repaid for the worry and trouble taken over them."

A Guery de Lauret, of Goulburn, writes of his apprentice :—" He is thoroughly honest, and does not make use of bad language ; at first he was rather idle and fond of play, but what can you expect of a boy of thirteen? Altogether I am quite pleased with him. I am educating him, and in that also he is making very good progress." W. Lavender.

E. Silver, Hinton, writes :—" I have the pleasure to inform you my little apprentice has quite exceeded my expectations, and reflects great credit on the school you have the honor to be over." John Hewett.

Mrs. E. Foster, of Brush Farm, writes :—" That the apprentice assigned to me from the N.S.S. 'Vernon,' has conducted himself very well and gives me great satisfaction." J. Antill.

J. T. Neale, Esq., writes :—" Francis Smith, it is with great pleasure I have to inform you, has been a good working, honest, steady lad, and has given entire satisfaction." F. Smith.

Mr. B. J. Jones, of Chatsworth Island, writes :—" I have much pleasure in answering your letter of the 18th March, concerning the conduct of my apprentice. His conduct has been pretty good so far ; he has been with me three years this month." S. Biles.

H. M'Millan writes :—" I have the honor to inform you that W. H. Boyd has conducted himself since he has been with me to my entire satisfaction, and I believe he will turn out a first-class workman. I have also to inform you that William Johnson remains with me up to this time a journeyman, and both boys are a credit to the ship." W. H. Boyd.
W. Johnson out of his time.

Mr. Irwon Leonard writes :—" Thomas East is and has conducted himself in a creditable manner, is very careful, and can be confidently trusted." Thomas East.

Horatio Beckham, Esq., writes :—" Henry Clark, selected by me from ship 'Vernon,' has conducted himself in a most satisfactory manner, so much so that several of my neighbours are about making application for boys from that institution." Henry Clark.

I have many others favourably reported upon, but I think I have given sufficient to show that with suitable masters the boys are doing well. At present I have 150 applications for apprentices ; the majority will have to be disappointed, as it is quite impossible to meet the demand for boys for general servants and farm work ; tradesboys are not so much in demand. Applications for apprentices.

Table 10 will show a list of the articles made, and the estimated value of labour employed upon them. The steam launch is now finished, with the exception of the cabin fittings. She is very useful to the ship in stormy weather, when it is impossible to use our other boats, and does useful service in bringing us water, coal, &c., also going for the doctor when required ; altogether she is a most useful boat for the ship's work, and is no preventive to the boys learning to pull and otherwise obtain a knowledge of the proper management of a boat ; in fact, she will be a saving to the ship. Articles made.
The necessity of the steam launch.

Our expenditure this year has been much larger than in any previous year, through the sickness of the inmates ; but allowing the value of the steam-launch, it will reduce the net cost to less. Expenditure.

I beg still to refer you to my former reports, and to point out the great disadvantage the institution is under in not having a piece of ground to land the boys on, and to repair boats and other necessary work of the ship. By the kind permission of Mr. Milsom we were able to make use of Cremorne to land the sick until they recovered ; but our great want is land to work on. Reference to former Reports.

I have, &c.,
J. S. V. MEIN.

The Schoolmaster to The Superintendent, N.S.S. "Vernon."

N.S.S. "Vernon,"
13 August, 1875.

Sir,

I have the honor to report that during the past year a large number of boys was received into the school, most of whom could neither read nor write, and they were also very untractable and rough in their behaviour.

They are now obedient and attentive to their lessons, and most of them are making satisfactory progress in reading, writing, and ciphering ; though the utter neglect of habitual mental effort previously renders the process of learning slower and more difficult to them than to boys who have attended school.

Most of the boys in the early part of the year suffered from the epidemic of measles which then prevailed in Sydney, and the attendance at school was consequently interrupted for a considerable time, which has prevented the attainment of such a favourable state of proficiency as could otherwise have been acquired.

The school stock has been enlarged during the year, by the addition of some new books and patent ink wells.

I have, &c.,
W. PLUMMER,
Schoolmaster.

(1.)

RETURN of the Nautical School Ship "Vernon," showing the Admissions and Discharges for the year ending 30th June, 1875.

Particulars.	Number.	Particulars.	Number.
Admissions—		Discharges—	
Committals	57	To Relatives	3
Returned—Indentures cancelled	11	Died—Fever	3
		Sent to Lunatic Asylum	1
		Apprenticed	54
Total	68	Total	61
Remaining on board, 30th June, 1875 103			

(2.)

4

(2.)

RETURN showing the Ages of Boys admitted on board the "Vernon" during the year ending 30th June, 1875.

Admitted during year.	2 to 3.	4 to 5.	5 to 6.	6 to 7.	7 to 8.	8 to 9.	9 to 10.	10 to 11.	11 to 12.	12 to 13.	13 to 14.	14 to 15.	15 to 16.	Total.
57	...	1	2	2	3	2	8	6	5	5	12	6	5	57

(3.)

RETURN showing the Religion of Boys admitted on board the "Vernon" during the year ending 30th June, 1875.

Church of England.	Roman Catholic.	Presbyterian.	Wesleyan.	Total.
21	34	1	1	57

(4.)

RETURN showing the Religion of Boys remaining on board the "Vernon" on the 30th June, 1875.

Church of England.	Roman Catholic.	Presbyterian.	Wesleyan.	Total.
38	59	5	1	103

(5.)

RETURN showing particulars relative to Parentage of Boys admitted into the "Vernon," during the year ending 30th June, 1875.

No. of boys admitted.	One parent living.	Both parents living.	Neither parent living.	Unknown.
57	27	25	4	1

Circumstances as stated in Record Sheet.

Parents dead; boy insane	1	Mother dead; father a seaman	2
Parents unknown	1	Mother dead; father unable to control	7
Parents dead	3	Mother in gaol; father deserted	1
Parents deserted	1	Mother dead; father a pauper	1
Parents unable to control	13	Mother a prostitute; father at sea	1
Parents unable to support or control	2	Mother in gaol; father in asylum	1
Parents drunkards	1	Mother a drunkard; father unknown	1
Father dead; mother unable to control	5	Mother a pauper	1
Father a shepherd	3	Mother a prostitute; father dead	2
Father dead	1	Mother in gaol; father a wood-turner	1
Father dead; mother a lunatic	1	Mother a prostitute; father unknown	1
Father dead; mother unable to support or control	1	Mother a drunkard; boy a thief	1
Father dead; mother married again	2	Mother unable to control; father absent	1
Mother dead; father married again	1		

(6.)

Committing Benches.

Araluen	1	Orange	2
Ballina	1	Parkes	3
Campbelltown	1	Parramatta	1
Central Police Court	17	Penrith	2
Gulgong	4	Trunkey	1
Grenfell	1	Water Police Court	17
Hargraves	1		
Maitland	4	Total	57
Mudgee	1		

(7.)

TABLE showing the Number and Trades of the Boys on board the "Vernon," on the 30th June, 1875.

Sailors.	Tailors	Shoemakers.	Carpenters.	Sailmakers.	Too young for choice.	Total.
49	25	20	2	2	5	103

(8.)

5

(8.)

RETURN showing the Number of Boys apprenticed from the "Vernon," during the year ending 30th June, 1875.

Mariners.	Printers.	Tailors.	Grooms.	Farmers.	Station-work.	Ship-building.	General servants.	Saddler.	Total.
7	2	2	2	10	5	2	23	1	54

(9.)

TABLE showing the Number and Ages of the Boys remaining on board the "Vernon," on the 30th June, 1875.

Number of Boys on board.	3 to 4	4 to 5	5 to 6	6 to 7	7 to 8	8 to 9	9 to 10	10 to 11	11 to 12	12 to 13	13 to 14	14 to 15	15 to 16	16 to 17	17 to 18	Total.
103	...	1	...	4	3	5	9	20	19	8	12	10	6	5	1	103

(10.)

LIST of Articles manufactured on board the "Vernon" during the year ending 30th June, 1875, and the estimated labour employed in their manufacture.

Articles.	Quantity.	Rate.	Amount.	Articles.	Quantity.	Rate.	Amount.
			£ s. d.				£ s. d.
CARPENTER.				Carried forward.....			677 9 4
Steam Launch (work)	245 days	11s.	134 15 0				
Repairs, 1st Cutter	36 "	11s.	19 16 0				
Do. Boats	40	11s.	22 0 0	SHOEMAKER.			
Do. Oars	12	11s.	6 12 0	Belts	182	3d.	2 5 6
Do. Mess Stools	6	11s.	3 6 0	Boots made	305	5s.	76 5 0
Do. Various small articles	6	11s.	3 6 0	Do. repaired	158	2s. 6d.	19 15 0
Do. Pumps	6	11s.	3 6 0	Do. (uppers) stitched	364	1s.	18 4 0
Lower deck work	12	11s.	6 12 0	Boot-laces cut	230	3d.	0 9 7
Upper deck work	24	11s.	13 14 0	Hose	1 doz.	10s.	0 10 0
Bath for boys	12	11s.	6 12 0				
Ladder	2	11s.	1 2 0	SAILMAKER.			
TAILORS.				Awning—main deck	1		14 0 0
Caps	134	1s.	6 14 0	Do. curtains	2		1 12 0
Flannels	240	1s.	12 0 0	Coal bags	6		1 0 0
Jumpers	345	3s.	51 15 0	Hammock cloths	2		2 0 0
Trousers	472	3s.	70 16 0	Hammocks—repairs			15 0 0
Repairing	70 days	10s.	35 0 0	Hoods			1 0 0
Coats—Serge	2	5s.	0 10 0	Smoke sail			1 0 0
RIGGER'S WORK, &c.				Tarpatulins	2		0 10 0
Painting ship		£36	36 0 0	Water-tank			3 0 0
Do. masts			12 0 0				
Do. lower deck			5 0 0				
Do. boats			10 0 0				
Washing	52,000	1d.	216 13 4	TOTAL			£834 0 5
TOTAL			£677 9 4				

(11.)

TABLE showing the Number of Boys apprenticed from the "Vernon," and particulars of their Conduct.

Number apprenticed.	Very good.	Good.	Fair.	Indifferent.	Absconded.	Out of apprenticeship.
329	106	9	15	10	27	116
At sea and not yet reported.	Drowned and killed at service.		Cancelled indentures.		No report.	Total.
5	2		28		11	329

(12.)

TABLE showing the Visits of Clergymen and Religious Instructors to the "Vernon," during the year ending 30th June, 1875.

Church of England.	Roman Catholic.	Presbyterian.	Total.
4	26	46	76

(13.)

TABLE showing the Educational state of the Boys on the "Vernon," for the year ending 30th June, 1875.

	Reading.				Writing.				Ciphering.			
	Well.	Indiff-erently.	Not.	Total.	Well.	Indiff-erently.	Not.	Total.	Well.	Indiff-erently.	Not.	Total.
Remaining 30th June, 1874	20	74	2	96	20	74	2	96	18	76	2	96
Admitted to 30th June, 1875	3	35	30	68	3	35	30	68	3	29	36	68
Total.....	23	109	32	164	23	109	32	164	21	105	38	164
Discharged to 30th June, 1875	21	40	..	61	21	40	..	61	19	42	..	61
Remaining on 30th June, 1875	22	69	12	103	19	69	15	103	16	72	15	103

(14.)

TABLE showing the Revenue collected from the undermentioned sources, during the year ending 30th June, 1875.

	£	s.	d.
Contributions from parents of boys	88	8	6
Sale of boots	55	16	0
Sale of old boats	15	0	0
Total.....	£159	4	6

(15.)

TABLE showing the Cost per head of the Boys on board the "Vernon," during the year ending 30th June, 1875.

Daily average strength, 100.	Amount expended.	Cost per head.
	£ s. d.	£ s. d.
Provisions	1,035 0 0	10 7 0
Clothing	377 19 10½	3 15 7
Hammocks, blankets, and bedding	55 12 0	0 11 1½
Fuel and light	127 2 6	1 5 5½
Stores	292 17 11	2 18 7
Salaries	1,690 12 10	16 18 2
Stationery and school utensils	17 5 6	0 3 5½
Grindery	52 0 2	0 10 5
Sundries, including medicines, &c.	379 14 7½	3 15 10½
Launch	211 11 9	2 2 4
Gross Cost	£ 4,239 17 2	42 7 11½
Deduct Maintenance &c., (Table 14) ...	159 4 6	
„ Steam-launch.....	1,000 0 0	
Net Cost	£ 3,080 12 8	30 16 1

(16.)

TABLE showing Health of the Boys on the "Vernon," and Cost of Medicines and Attendance, for year ending 30th June, 1875.

		£	s.	d.
Sickness.....	135	50	0	0
Wounds	10	167	8	8½
Total	145	55	12	0
		Total	£ 273	0 8½

* This is paid out of Vote for Medical Service generally.

1875.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON

FITZGERALD'S ENABLING BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
14 *December*, 1875.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1875.

1875.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 10. WEDNESDAY, 1 DECEMBER, 1875.

6. FITZGERALD'S ENABLING BILL ("Formal" Motion):—Mr. Pilcher moved, pursuant to Notice,—
 (1.) That Fitzgerald's Enabling Bill be referred to a Select Committee for consideration and report.
 (2.) That such Committee consist of Mr. Lackey, Mr. Long, Mr. J. S. Smith, Mr. H. H. Brown,
 Mr. Farnell, Mr. Meyer, Mr. F. B. Suttor, Mr. Driver, Mr. H. C. Dangar, and the Mover.
 Question put and passed.
-

VOTES No. 17. TUESDAY, 14 DECEMBER, 1875.

5. FITZGERALD'S ENABLING BILL:—Mr. Pilcher, 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 1st December, 1875.
 Ordered to be printed.

* * * * *

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1875.

FITZGERALD'S ENABLING BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly for whose consideration and report was referred, on 1st December, 1875,—“*Fitzgerald's Enabling Bill*,”—beg to report to your Honorable House,—

That they have examined the witnesses named in the *List (whose evidence *See List, page 4. will be found appended hereto), and that the Preamble, as amended, having been satisfactorily proved to your Committee, they proceeded to consider the Bill, and deemed it necessary to add thereto two new Clauses.

Your Committee now beg to lay before your Honorable House the Bill as amended by them, with an amended Preamble.

CHAS. E. PILCHER,
Chairman.

No. 3 Committee Room,
Sydney, 10th December, 1875.

PROCEEDINGS OF THE COMMITTEE.

FRIDAY, 10 DECEMBER, 1875.

MEMBERS PRESENT:—

Mr. Pilcher,
Mr. Meyer,Mr. Farnell,
Mr. J. S. Smith.

Mr. Pilcher called to the Chair.

Entry from Votes and Proceedings appointing the Committee *read* by the Clerk.

Printed Copies of the Bill referred, and original Petition to introduce the same, before the Committee.

Present,—Frederick Curtiss, Esq. (*Solicitor for the Bill.*)

Frederick Curtiss, Esq., examined.

Witness *produced* Probate of the Will of Richard Fitzgerald; also, Probate of the Will of Robert Fitzgerald; also, copy of Special Case submitted to the Supreme Court, in reference to the annuity of £50 referred to in the Preamble; also, Decree of the Supreme Court on the said Special Case; also, an Order on Appeal to the Supreme Court upholding the said Decree;—copies of which to be supplied.Morris Alexander Black, Esq. (*Actuary to the Mutual Provident Society*) called in and examined.

Witness withdrew.

James Bligh Johnston, Esq. (*Chairman of the Committee of the Hawkesbury Benevolent Society*) called in and examined.

Witness withdrew.

William Walker, Esq. (*one of the Trustees of the Hawkesbury Benevolent Society*) called in and examined.

Room cleared.

Preamble considered and amended.*

Question,—“That this Preamble, as amended; stand part of the Bill,” put and passed.

Solicitor called in and informed.

Clauses 1 to 6 *read and agreed to.*New clause† to stand as clause 7 *read and agreed to.*New clause‡ to stand as clause 8 *read and agreed to.*

Chairman to report the Bill with Amendments to the House, together with an amended Preamble.

*See Schedule
of Amendments.†See Schedule
of Amendments.
‡See Schedule
of Amendments.

SCHEDULE OF AMENDMENTS.

Page 2, Preamble, line 26. After “mentioned” *insert* “as amended by an Act passed in the twenty-third year of Her present Majesty intituled ‘An Act to amend the Hawkesbury Benevolent Society’s Act of Incorporation.’”Page 2, Preamble, line 26. *Omit* “Act” *insert* “Acts.”Page 3. *Insert* after clause 6 the following new clauses, to stand as clauses 7 and 8 of the Bill—

“7. The said capital of eleven hundred and eleven pounds shall be forthwith invested by the said Trustees in Government Debentures of New South Wales in the name of the Hawkesbury Fitzgerald Legacy Fund.

“8. This Bill may be cited as the Fitzgerald’s Enabling Bill.”

LIST OF WITNESSES.

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1875.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON

FITZGERALD'S ENABLING BILL.

FRIDAY, 10 DECEMBER, 1875.

Present:—

MR. FARNELL,
MR. MEYER,

MR. PILCHER,
MR. J. S. SMITH.

CHARLES E. PILCHER, ESQ., IN THE CHAIR.

F. Curtiss, Esq., appeared as Solicitor on behalf of the Promoter of the Bill.

Frederick Curtiss, Esq., examined:—

1. *Chairman.*] Have you any evidence to submit to the Committee in support of the Bill now before them? I have the will to produce of Mr. Richard Fitzgerald. It is under this will of Richard Fitzgerald that the bequest was made to the Hawkesbury Benevolent Society of £50 per annum, and there is a request to Robert Fitzgerald, son of Richard Fitzgerald, to continue the payment of that annual sum of £50. I now produce the probate of that will. (*The witness produced the same.*) Mr. Robert Fitzgerald continued to pay this £50 a year during his life. He then died, and by his will appointed the present applicant, Mr. Robert Marsden Fitzgerald, his son, devisee, legatee, and executor of the same. His sister was also appointed executrix with him, but she never proved. (*The witness produced will of Robert Fitzgerald.*)
2. *Mr. Farnell.*] Under that will has he continued to pay? For a time he continued to pay without admitting any legal right on the part of the Hawkesbury Benevolent Society, and then a doubt arose whether he could be compelled to continue this payment, and a special case was agreed upon between the Trustees of the Hawkesbury Benevolent Society and Mr. Fitzgerald and brought before the Court.
3. *Chairman.*] Under the 16th Victoria No. 3? Yes. I produce a copy of that special case. (*The witness produced the same.*) The Court decided by their decree, which I produce, that it was a bequest in perpetuity of this sum of £50 per annum, or so long as the Society should continue in existence. (*The witness produced the same.*)
4. *Mr. Meyer.*] There was no appeal made? There was an appeal made, but that decree was upheld on an appeal to the full Court. Mr. Fitzgerald appealed, and that was the order on the appeal. (*The witness produced the same.*) As doubts have arisen whether Mr. Fitzgerald could pay this capital sum—could compound with the Trustees—and there is no power given under their Act to enable them to do so, it has been thought necessary to apply for a special Act.
5. What is their Act? 4th Victoria.
6. *Chairman.*] There is no power in that Act to enable the Trustees to accept a composition? No.
7. And no power in the original will of Richard Fitzgerald to enable an executor to compound? No.
8. I understand you to say that doubts have arisen upon the facts you have mentioned, on the power of Mr. Fitzgerald to compound or of the Trustees to accept a composition? Yes. We took the advice of Mr. Darley, and he decided that there were doubts: he could not advise that we had the power.
- 9.

F. Curtiss,
Esq.
10 Dec., 1875.

- F. Curtiss, Esq.
10 Dec., 1875.
9. *Mr. Smith.*] Since that do I understand you that there were further doubts as to the liability? Not as to the liability—the decree decided that on appeal to the full Court. There was no doubt as to the liability, but as to the power of Mr. Fitzgerald to compound by payment of a capital sum, and also as to the power of the Trustees of the Society to make such a composition, and the reason we are anxious for this Bill is to enable us to pay this amount. I have inserted in the Bill the sum of £1,111, which according to the opinion of Mr. Black, the Actuary of the Australian Mutual Provident Society, would be sufficient to secure this payment in perpetuity of £50 per annum.
10. That is during the life of Mr. Robert Marsden Fitzgerald? No, in perpetuity: it is not a question as to life, it is in perpetuity or during the existence of the Society.
11. *Chairman.*] Is Mr. Fitzgerald willing to compound this amount with the Trustees? Yes.
12. You are his solicitor? Yes.
13. And acting for him? Acting for him.
14. Is he willing to compound by the payment of such an amount as an actuary shall determine and the Committee and House shall approve? Yes.
15. *Mr. Farnell.*] I understand that an actuary has determined the amount? Yes.
16. *Mr. Smith.*] And that £1,111 is the computation of an actuary? Yes.
17. *Mr. Farnell.*] Do you know whether the Trustees are willing to receive this amount in composition for the annuity? I am not aware whether they are willing to accept that amount, but there are two of them present here to-day, who can speak to that.
18. *Chairman.*] Did these doubts as to the liability of Mr. Fitzgerald to pay this amount arise after the death of Mr. Robert Fitzgerald? Yes.
19. Is there an Act amending the Hawkesbury Benevolent Society's Act which contains any power for the Trustees or other persons to accept of such composition on behalf of the Society? Yes, there is an amending Act, but it does not affect that point, it does not confer any power greater than the original Act in this respect. I have searched and have not found any Act further amending this Act.
20. *Mr. Meyer.*] Is there any clause compelling the Trustees to invest this money? There is not, but I think the Trustees will suggest something of the kind. I should imagine they would invest in Government debentures.

Morris Alexander Black, Esq., examined:—

- M. A. Black, Esq.
10 Dec., 1875.
21. *Mr. Curtiss.*] Have you made a computation of the amount that would be required to pay the sum of £50 per annum to the Hawkesbury Benevolent Society? Yes.
22. Will you state to the Committee the amount you have arrived at? I think it would be fair to assume that the money could be invested at $4\frac{1}{2}$ per cent., in which case it results that £1,111 would be the sum required.
23. You are the Actuary of the Mutual Provident Society? Yes.
24. *Mr. Smith.*] Will you explain how you arrive at that sum of £1,111? There is only one way—by multiplying the annuity by 100 and dividing by the rate per cent. The whole thing involved in this case is to decide what a fair and proper rate of interest is. Now, from what I have been told, from the nature of the case, they would require to invest in Government securities, and the question is what rate of interest long-dated New South Wales debentures would bear.
25. You have made your computation upon that basis? Yes, I have taken the average of long-dated New South Wales debentures at £4 7s. 8d., at 107 or 108—8d. one way or other—that would be $4\frac{1}{2}$ per cent. They would not be entitled to a rate of interest at 4 per cent., nor could they demand so little as to produce 5 per cent., because you cannot get Government securities to realise 5 per cent. in New South Wales; even in Tasmania stock, unless for a large quantity, you could not get that, and I apprehend it would be in New South Wales stock it would be required to be invested. They might get £65 more supposing it to be invested in inscribed or funded stock, which yields about $4\frac{1}{2}$, that is not all sold. In that case they would be entitled to £1,176.
26. What stock is that? 4 per cent. funded stock, but I am inclined to think the amount I mention is more equitable.
27. *Chairman.*] You think £1,111 in the ordinary debentures would be sufficient to realize £50 a year, but in any event £1,176 in funded stock would do so? Yes, that would realise $4\frac{1}{2}$ per cent. That is the very maximum they could ask.
28. *Mr. Smith.*] But the amount named in the Bill you think the more equitable? I think so.

James Bligh Johnston, Esq., examined:—

- J. B. Johnston, Esq.
10 Dec., 1875.
29. *Mr. Curtiss.*] You are the Chairman of the Hawkesbury Benevolent Society? I am the President.
30. And, as President of that Society, you have no objection to this Bill being brought before the House? I have no objection to the Bill being passed by the House, because, according to the law of the Society, the matter would have to be submitted to the members whether they would accept the Bill after being passed. Neither I nor the Committee have any power to consent beyond the passing of the Bill—we cannot bind the Society.
31. *Chairman.*] There was a meeting of the Society, was there not? There was a meeting of the Committee.
32. And you and Mr. Walker were appointed to represent the Society here? To give any evidence that might be required.
33. And to represent the Society? Yes.
34. *Mr. Smith.*] Have you any entry of that appointment? We have not with us.
35. *Mr. Curtiss.*] You were authorized by the meeting? Yes; and it was entered upon the records.
36. The minutes will be forthcoming on a future occasion if required? Yes.
37. *Mr. Farnell.*] Are the Committee of the Hawkesbury Benevolent Society favourable to the compounding of this £50 annuity for the sum mentioned in the Bill—£1,111? I do not think they would consent to accept that sum. The Committee have no power to bind the Society in any matter exceeding £50; but as far as I could gather from the Committee and also from the members I have had an opportunity of consulting in the matter, although there must be a sum named in the Bill it will be still open for a general meeting to accept or reject any lump sum instead of the £50 a year. 38.

38. As I understand you, all the Committee require is that the sum of £50 a year shall be secured to them? Yes, that is all they require—that is all we can ask for, but we want to be secure of that.

39. If the sum mentioned in the Bill were secured, would the Society be satisfied with that? We cannot see that that sum would secure £50 a year. No doubt it would secure it at present, but we have to consider the interests of the institution for all time, and the time may come when a sum which will now produce £50 a year may produce only £40, and if we were to accept this sum we should then be doing injury to the institution.

40. Suppose we were to invest the sum in debentures having to run thirty or forty years, and you were to receive as much interest as would amount to £50 a year, would you then object? If the debentures had that time to run no doubt the institution would be secure for that time; but that £50 is secured for all time, not for any definite time.

41. *Chairman.*] I understand that the Trustees are willing to accept a sum that will secure £50 a year to them in perpetuity? Yes; but as I observed before, the Trustees have no power to bind the Society in any matter exceeding £50.

42. Of course they have no power to bind—if they had there would be no occasion for this Act. They are willing to accept a sum that will secure £50 a year in accordance with the terms of Mr. Fitzgerald's will? Yes.

43. *Mr. Curtiss.*] Of course the subscribers or members would agree to the same? We have never had an instance of the subscribers differing from anything the Committee have done, but still they would have the power of dealing with the matter.

J. B.
Johnston,
Esq.
10 Dec., 1875.

William Walker, Esq., examined:—

44. *Mr. Curtiss.*] You are one of the Trustees of the Hawkesbury Benevolent Society? Yes:

45. You know the purport of this Bill? Yes.

46. As one of the Trustees are you willing to accept a capital sum, as mentioned in the Bill, in lieu of the annual sum of £50? I have consulted the other Trustees and the Committee on the subject, and Mr. Johnston and myself were deputed to give evidence before this Committee upon this matter. The Trustees are willing to consent to the passage of a Bill to this effect, to enable Mr. Fitzgerald to treat with the Society to compound for this legacy of £50 a year, but the Trustees are not willing to accept £1,111 as stated in this Bill. They are willing to accept the sum of £1,250.

47. *Chairman.*] Do I understand this to be what you say,—that the Trustees are willing to accept a capital sum that will yield £50 a year in lieu of this annual sum of £50? Yes, but they must be satisfied that the capital sum will yield that amount.

48. But they are willing to accept a capital sum that will do that? Yes, but they reserve the right to name that amount, which they fix at £1,250, that is subject to a general meeting of the subscribers, which will be called very shortly. The matter will then be submitted to a general meeting, and I have no doubt that sum will be assented to.

49. *Mr. Curtiss.*] How do you arrive at this sum of £1,250? At 4 per cent. it amounts to £1,250, and as the legacy is secured for all time, and as interest may come down to 4 per cent., the Committee and the Trustees do not think they would be justified in taking a less sum than £1,250. If that amount is filled in in the Bill instead of £1,111, there will be no objection to the Bill passing.

50. The £1,111 is a blank? It is supposed to be a blank, and was a blank when it was submitted to us, but it has been filled in since.

51. Of course you were informed of the figures? I have been recently, but not at the time the Bill was submitted to us.

52. *Mr. Smith.*] Can you say that this sum of £50 is payable for all time? Yes, that has been decided.

53. By law? Yes.

54. Is there no appeal whatever? There may be an appeal to the Privy Council, but it has been decided in this Colony.

55. Can there not be a further appeal to the Privy Council? I have not gone into that question; Mr. Curtiss may be able to answer that. It has been decided in Court here, and it is a long time since.

56. Is there any limit to the time within which an appeal can be made to the Privy Council? I cannot say positively, but I think Mr. Fitzgerald has no idea of an appeal.

57. You cannot say that of your own knowledge? No; I never asked him the question, but I know he has been paying the £50 since the decision.

58. *Mr. Curtiss.*] All the Benevolent Asylum is entitled to is £50 per annum? Yes.

59. And that is charged upon the whole of the Fitzgerald estate? Yes. There is another thing I have to state. The Committee wish a clause to be inserted in this Bill, that this lump sum shall be invested apart from the other funds of the Society, for this reason,—that if ever the Society should be broken up this money is to be refunded.

60. *Chairman.*] Would it be well that it should be invested in another name? Yes, the Fitzgerald Legacy Fund, or something of that kind.

61. *Mr. Smith.*] Is there not a clause in the original Act compelling all sums arising to the Society to be invested? No, it simply says it shall be held—there is no direction for investment. They had no capital at the time the Society was formed, excepting some stock on a run which has since been destroyed by free selection and dummyism. They have had to sell the whole of the stock, and to let the run, which was one of the finest in the Liverpool Plains District. They formerly received £400 a year for it, and now they get but £100, and it would not be worth that but for the freehold.

W. Walker,
Esq.
10 Dec., 1875.

1875-6.

—
 LEGISLATIVE ASSEMBLY.
 NEW SOUTH WALES.

FITZGERALD'S ENABLING BILL.
 (PETITION FROM TRUSTEES OF THE HAWKESBURY BENEVOLENT SOCIETY.)

Ordered by the Legislative Assembly to be printed, 19 January, 1876.

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

The humble Petition of the undersigned, the President and Trustees of the Hawkesbury Benevolent Society,—

RESPECTFULLY SHOWETH :—

That a Bill is now passing your Honorable House, also the Honorable the Legislative Council, to enable the executors of the will of the late Robert Fitzgerald to pay a certain capital sum to the Trustees of the Hawkesbury Benevolent Society in lieu of an annual sum of fifty pounds, payable under the will of Richard Fitzgerald, deceased.

That the President and one of the Trustees of the said Society gave evidence before the Select Committee of your Honorable House to whom said Bill was referred, that the said Society would not consent to take less than the capital sum of £1,250 in lieu of such annual sum of £50.

That your Petitioners have observed with surprise and regret that no regard has been paid to the evidence aforesaid, and that the said Bill has gone through both Houses of Parliament with the capital sum of £1,111 only named in it.

That under these circumstances your Petitioners are desirous that the said Bill may not pass in its present shape without the sum of £1,111 named in it being altered to £1,250.

Your Petitioners therefore pray your Honorable House to take the premises into your earnest consideration, and either to alter the said Bill to meet Petitioners' views, or not to pass Bill at all.

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

Dated this 15th day of January, 1876,—Windsor.

[Here follow 4 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

BATHURST HOSPITAL BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

18 *March*, 1876, A.M.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1876.

1875-6.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 59. WEDNESDAY, 15 MARCH, 1876.

6. BATHURST HOSPITAL BILL (*Formal Motion*):—Mr. Garrett moved, pursuant to Notice,—
- (1.) That the Bathurst Hospital Bill be referred to a Select Committee for consideration and report.
- (2.) That such Committee consist of Mr. Booth, Mr. Goold, Mr. Pilcher, Mr. J. S. Smith, Mr. F. B. Suttor, Mr. W. H. Suttor, Mr. Warden, Mr. J. Watson, and the Mover.
- Question put and passed.
-

VOTES No. 61. FRIDAY, 17 MARCH, 1876.

12. BATHURST HOSPITAL BILL:—Mr. Garrett, 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 March, 1876, together with Appendix.
- Ordered to be printed.
- * * * * *
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1875-6.

BATHURST HOSPITAL BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on 15th March, 1876,—the "*Bathurst Hospital Bill*,"—beg to report to your Honorable House,—

That we have examined the witnesses named in the List* (whose evidence will be found appended hereto), and that the Preamble, having been satisfactorily proved to your Committee, they proceeded to consider the several clauses and the Schedule of the Bill, in which it was not deemed necessary to make any amendment. *See List, page 4.

Your Committee now beg to lay before your Honorable House the Bill without amendment.

THOS. GARRETT,
Chairman.

No. 2 Committee Room,
Sydney, 17th March, 1876.

PROCEEDINGS OF THE COMMITTEE.

FRIDAY, 17. MARCH, 1876.

MEMBERS PRESENT :—

Mr. Garrett,	|	Mr. F. B. Suttor,
Mr. Booth,	|	Mr. W. H. Suttor.

Mr. Garrett called to the Chair.
 Entry from the Votes and Proceedings, appointing the Committee, *read* by the Clerk.
 Printed copies of the Bill referred, and original Petition from the Trustees of the Bathurst Hospital, praying that the Bill may be passed as a public Act, before the Committee.
 Edward Gell, Esq., J.P. (*a Trustee of the Bathurst Hospital*), called in and examined.
 Witness withdrew.
 Edmund Webb, Esq., J.P. (*a Trustee of the Bathurst Hospital*), called in and examined.
 Medical certificate *handed in*, bearing out the allegations contained in the Petition of the Trustees, which was ordered to be appended. (*See Appendix.*)
 Witness withdrew.
 Preamble considered.
 Question,—“That this Preamble stand part of the Bill,”—put and passed.
 Bill *read* and *agreed to*.
 Chairman to report the Bill without amendment to the House.

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1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

BATHURST HOSPITAL BILL.

FRIDAY, 17 MARCH, 1876.

Present:—

MR. BOOTH,
MR. GARRETT,MR. F. SUTTON,
MR. W. H. SUTTON.

THOMAS GARRETT, ESQ., IN THE CHAIR.

Edward Gell, Esq., called in and examined:—

1. *Chairman.*] You are an architect? Yes.
2. And one of the trustees of the Bathurst Hospital? Yes.
3. Messrs. Cousins, Machattie, Webb, and Rotton are co-trustees? Yes.
4. Those are the signatures to that petition I presume? They are.
5. Are the buildings of the present hospital inadequate, and the means of accommodation insufficient, for the patients? Yes, the buildings are bad in every possible way. They are old buildings, and the walls are, I might almost say, rotten; at all events they are in a very dilapidated state, and the building is totally unfit for the purposes of a hospital.
6. They were not built for the purpose of a hospital? Yes, but very many years ago.
7. You are an architect, and of course speak professionally? Yes; the knowledge I have derived from my profession and my reading upon the subject leads me to the conclusion that the buildings are totally unfit for the purposes of a hospital.
8. With regard to the site, is it suitable for an institution of the kind? It is considered to be unsuitable. It is in a low part of the town; although it is somewhat elevated above the flat it is low taking the general level of the town. It is, generally speaking, in a low situation; a creek runs just in front of it, and a short distance up the creek there is a tannery. We had a contest with the proprietors when it was first opened; they wanted to make it appear there would be no nuisance, but I think any unprejudiced person would consider it at all events not favourable to the health of the hospital patients.
9. Then you consider the site as well as the buildings unsuitable? I do.
10. And you consider it expedient that a larger building on a better site should be erected? Yes, it is urgently needed.
11. Have the Government granted you another site? Yes.
12. What is the difference in the area of the two sites? The Government have granted, I think, 6 acres; the area of the present site is not more than 3 acres. I am speaking without data, but I think it is not more than 3 acres.
13. What amount of money do you think the land and buildings will produce if sold? I should think about £1,200, or something like that.
14. Have you any funds now in hand towards the erection of a new hospital on the other site? Yes, I think we have £400 or £500.
15. Was the present hospital built by public subscription? The additions made some five or six years ago were put up by public subscription.
16. And if the present site and buildings are sold you propose to obtain the balance of the money necessary for the new building by public subscription? By public subscription; of course, with the usual aid from the Government.

E. Gell, Esq.

17 Mar., 1876.

- E. Gell, Esq. 17. And what amount do you propose to expend in the way of buildings on the new site? I cannot speak positively as to that, but I think about £3,000.
- 17 Mar., 1876. 18. Is the creek you speak of a sort of receptacle for the sewage of the town? It does receive some portion of it; but it comes from up the Vale Creek, from Queen Charlotte's Vale.
19. Is it a running creek? It is not always running; it is very often dry.
20. Is the water in it sometimes stagnant? Yes, it sometimes lies in pools.
21. Is this statement in the petition correct: "During the winter months the hospital is enveloped in fog up to so late an hour as 9 o'clock and occasionally 11 o'clock in the morning"? Strictly correct.
22. That is owing to its low position? Yes.
23. Is this statement in the petition correct: "Immediately in front of the present building there is a quantity of land of a very marshy nature, and consequently very unwholesome"? Quite correct.
24. The trustees agree to the Bill before Parliament, I presume? Yes.
25. *Mr. F. Suttor.*] Are you aware that the hospital is overcrowded now? Yes, at the present time some of the patients are accommodated outside in a tent. I may state that at the time the building was erected, very many years ago, the subject of hospital accommodation had not been studied as it has been since. What is now considered indispensable in such an institution was not much thought of at the time the present hospital was erected. Mere shelter appeared to be the main consideration formerly.
26. *Chairman.*] But even for mere shelter the present building is unsuitable? Yes.
27. *Mr. F. Suttor.*] Do you think it possible to make the present building suitable by improvements or additions? It would involve an outlay almost equal to the erection of a new building. The walls are damp, rotten, and I have no doubt saturated with the germs of disease.
28. Have you any idea as to how long the building has been used for the purposes of a hospital? No, except that it was built in the convict days.
29. Thirty or forty years ago, perhaps? Yes.
30. Are you aware that the medical men have all condemned the building as unfit for a hospital? They have.
31. *Mr. Booth.*] When you said that some of the patients were living in a tent, I presume it is from the unhealthy state of the buildings, or want of accommodation? No, it is because we have not the means of classifying the diseases. For instance it would not do to introduce patients suffering from fever into the accidents ward.
32. It is not so arranged that the building is adequate for the treatment of various diseases? No; it often happens that we have not the room.
33. *Mr. F. Suttor.*] Do you know that week after week patients were refused admission until the tent was erected? Not of my own knowledge. I have frequently heard of patients being refused admission.
34. *Mr. Booth.*] I think you stated that the hospital was built in Governor Macquarie's time? I am not aware; it was one of the earliest buildings in the township.
35. *Mr. W. H. Suttor.*] Do you know if it is waste land between the hospital and the Vale Creek? Yes.
36. In what state is that land? It is used principally for shooting rubbish upon, and I think sometimes manure.
37. It is right in front of the hospital door? Right in front of it.
38. How far is the hospital from the proposed railway station? I should think it is scarcely three-quarters of a mile.
39. Do you think the noise and rattle of the traffic would interfere with the patients? It is not more than a quarter of a mile from the railway line, and of course there would be incessant noise from the traffic.
40. Which would be rather prejudicial to the patients? I should think so.
41. *Chairman.*] But at the new institution that would not affect them? No, the site is on the other side of the town.
42. *Mr. W. Suttor.*] Do you know the present site? Yes.
43. What sort of site is it? A very excellent one.
44. Will you describe it to the Committee? It has an easterly aspect, which I take to be the best aspect for an institution of the kind, as it has the morning sun; and it is sheltered from the stormy winds that prevail in our neighbourhood, which come generally from the west. It is upon a good, sound, dry, gravelly bottom; and I think it possesses every advantage that could be desired.
45. With regard to the old hospital, in what direction is the waste land you speak of situated—east, or west, or north? In a north-easterly direction I think.
46. Do you know whether, in a climate such as this, that is considered a most prejudicial aspect. Does not any malaria that might arise get more readily carried to the building? I think it would: in a low situation. The hospital is above where the stuff is deposited, and consequently it would be apt to arise. A northerly wind would blow the malaria towards the hospital.
47. *Chairman.*] You think the proposed site would be a very great improvement, both in regard to position and healthiness? I think it is as good a site almost as you could expect to obtain.
48. *Mr. F. Suttor.*] Do you think it a site that could be reasonably objected to by the townspeople? I do not think it could.
49. Not on account of their property surrounding it? No, I do not think so. I think it is as free from objection as any site you could get near the town. It would not do to have an institution of this kind too far away from the town.
50. It is surrounded on one side by a reserve, I believe? On one side it is.
51. And on the other side by the boundaries of the town? It is not far from the boundaries of the town.
52. So that it is impossible to surround it with buildings? I think it would not be likely to be crowded with buildings.

Edmund Webb, Esq., called in and examined:—

- E. Webb, Esq. 53. *Chairman.*] You are one of the trustees of the Bathurst Hospital? Yes.
- 17 Mar., 1876. 54. And one of the parties who signed the petition? Yes.
55. You know the contents of the petition with regard to the healthy and insalubrious position of the present hospital? Yes.

56. And you can thoroughly endorse all the statements of that kind in the petition? All, with the exception of one. I cannot say that the upper portion of the town drains into Vale Creek; but I should say that more than one-third of it drains into the creek. The petition was brought to me in the state it is now; and I thought it better to sign it. E. Webb, Esq.
57. And the drainage of the hospital land itself is defective? I cannot say that. The hospital is built on a rising piece of ground. It overlooks the Vale Creek, and also a piece of swamp land between Vale Creek and the river. In winter time it is very wet and objectionable.
58. The proposed site is a great improvement upon that upon which the hospital now stands? Yes, it is much higher and more out of the town.
59. And still in a sufficiently accessible position? Yes, there is a good road to it.
60. What do you think the land on which the present hospital stands would fetch? It depends upon how it is sold. I should think it would fetch from £1,200 to £1,500.
61. What funds have you in hand towards the new hospital? Between £500 and £600; I think it is nearly £600 now. We put by £100 a year for the purpose.
62. Have you had estimates made as to the cost of the new building? No, we hope to be able to raise from £4,000 to £6,000.
63. And devote it all to the purposes of a new hospital? Yes.
64. I suppose you have read the Bill submitted to the Committee? Yes.
65. It has received the sanction and approval of the trustees? Yes, I believe unanimously.
66. *Mr. F. Suttor.*] The £6,000 which you say is intended to be devoted to the hospital will include subscriptions, aid from the Government, and the proceeds of the sale of the present hospital and grounds? Yes, but it will take more than that to put up a suitable hospital for Bathurst.
67. Your object in selling the land is partly to obtain funds towards the construction of the new hospital? Yes; unless we sell the land we shall not be able to raise the necessary funds. The hospital is very crowded at present; in fact we are compelled to put some of the patients in a tent. We have some very bad cases, which ought not to be in the other wards. I recollect the woman that was burnt lately; we had to keep her in a ward where five other patients were. The smell was so offensive that ladies going there to visit the other patients could scarcely stop in the room. The patients had to stop there, however; for there was no other room for them. We have had a few fever cases lately; we applied to the Government for a tent, and the Government kindly sent us one. It has been erected in the yard, and some of the worst cases have been put into it.
68. Are you aware that before the tents arrived patients were refused admission? Yes; we had not room for them.
69. *Mr. Booth.*] I think you stated that you put by £100 a year towards the new hospital;—was that from the contributions of the public? There is a legacy left to the hospital, and part of the money we put by comes from that. I think we have put by £100 a year for the last two years; and we have had a certain amount given towards the erection of a new hospital, and I think we have now between £500 and £600; I forget whether it is £500 or £600.
70. The present building is in every respect inadequate for a hospital, and the situation is also unhealthy? There are three wards for men, and two of these wards are very old and very unsuitable. There is one ward for women, and that is certainly very unsuitable, and not at all adequate for the requirements. Some time ago the hospital committee built a new wing at a cost of about £400 or £500, and also effected some other improvements.
71. *Chairman.*] And still it is inadequate? Quite inadequate. It is of no use adding to the building; it is not at all suitable and ought to be taken down.
72. *Mr. W. Suttor.*] You think the site of the present hospital is unsuitable for a hospital? Yes, because the Vale Creek runs too near to it. There are some slaughter-houses on the creek, a short distance from town, and all the washings come down right underneath the hospital; and not far away there is a tannery. I suppose the tannery is not more than 12 chains away.
73. When the railway is completed there will be a great amount of noise from the traffic? I do not think there will be much annoyance from the noise of railway traffic. The station will be about half-a-mile away.
74. *Chairman.*] Neither as regards building nor site is the present hospital suitable? No; it has long been a disgrace to us; but we have not been able to do anything.
75. *Mr. F. Suttor.*] Are you aware that the medical men have frequently complained of the condition of the hospital? Yes, every one of them.
76. Are you aware they have signed this certificate that accompanies the petition. (*See Appendix A.*)? Yes; but before that they communicated with the trustees and advised them to take steps to get the hospital removed.

APPENDIX.

A.

[To the evidence of Edmund Webb, Esq., 17 March, 1876.]

We the undersigned members of the medical profession visiting the Bathurst Hospital hereby certify that the site at present occupied by the Bathurst Hospital Buildings is very unwholesome to the patients therein; and we fully concur in all the sentiments contained in the petition hereto annexed, and would further add that we are firmly convinced that it would be much to the advantage and benefit of all the present and future patients of the hospital to have a more elevated and consequently more healthy site if the same is obtainable.

RICD. MACHATTIE, Surgeon, &c.
WM. F. BASSETT, M.R.C.S., Eng., and L.A.L.
W. R. CORTIS, L.R.C.P.

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

STATISTICS OF PUBLIC INSTITUTIONS.

(GAOLS, ASYLUMS, ORPHAN SCHOOLS, HOSPITALS, &c.)

Ordered by the Legislative Assembly to be printed, 22 August, 1876.

RETURN (in part) to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 15 February, 1876, That there be laid upon the Table of this House,—

“ A Tabular Statement, showing :—

“ (1.) The number of persons in the Gaols and Watch-houses, or on bail, in the Colony, for hearing, under committal, and under sentence, on the 1st day of February, 1876.

“ (2.) A similar statement with regard to the number of Insane persons in custody of the Government or in Private Asylums, supported wholly or in part by the State, on same date.

“ (3.) A similar statement in regard to the number of Children, supported wholly or in part by the State, in the Asylums and Orphan Schools in the Colony, on same date.

“ (4.) A similar statement with regard to the number of Indigent persons, supported by the State, within the Benevolent Asylums of the Colony, on same date.

“ (5.) A similar statement with regard to the number of persons under medical treatment in the Public Hospitals of the Colony, supported wholly or in part by the State, on same date.

“ (6.) A similar statement with regard to the number of persons employed in the Police Force; also number of persons employed as professional men, clerks, teachers, instructors, matrons, warders, nurses, or other servants, receiving pay from the State, and employed in the several services mentioned in the foregoing return, on same date.

“ (7.) A similar statement setting forth the estimated number of persons resident in the Colony on same date, viz., 1 February, 1876.

“ (8.) A similar tabular statement to the above, as far as can be compiled with, for the 1st day of February, 1866, distinguishing sex in each case.”

(*Mr. Macintosh.*)

STATISTICS OF PUBLIC INSTITUTIONS.

RETURN of Persons confined in the Gaols of New South Wales or on Bail on the undermentioned dates.

Position.	On 1st February, 1876.				On 1st February, 1866.			
	In Gaol.		On Bail.		In Gaol.		On Bail.	
	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.
For Hearing	25	6	.....	.....	16	.....	.....	.....
Under Committal	149	13	56	6	139	13	20	.....
Under Sentence	1,041	214	3	.....	1,086	192	.....	.....
Totals.....	1,215	233	59	6	1,241	205	20	.....

RETURN of Officers and Servants employed on undermentioned dates.

Position.	On 1st February, 1876.		On 1st February, 1866.	
	Males.	Females.	Males.	Females.
Visiting Justice*	4	.....	7	.....
Visiting Surgeon	17	.....	13	.....
Chaplains	17	.....	15	.....
Gaolert	37	.....	29	.....
Matron† .....	.....	36	.....	22
Clerks	7	.....	8	.....
Schoolmaster	2	.....	2	.....
Dispenser	2	.....	2	.....
Overseers and Foremen	13	.....	9	.....
Warders	191	10	164	8
Messengers	2	.....	2	.....
Carters	2	.....	1	.....
Totals.....	294	46	252	30

* Officers receiving separate salaries for the office of Visiting Justice are alone given. The Police Magistrates at Berrima and Port Macquarie, and the Clerk of Petty Sessions at Parramatta, are included in the Return for 1866, and the Police Magistrate at Berrima and Clerks of Petty Sessions at Parramatta and Port Macquarie, in that for 1876.

† Includes, for 1866 15, and for 1876 22, keepers of Police Gaols who receive small allowances in addition to their pay as constables.

‡ Includes 7 Acting Matrons for 1866, and 21 for 1876, receiving small allowances for Police Gaols.

HAROLD MACLEAN,
Comptroller General.

RETURN of the number of Persons in the Watch-houses of New South Wales or on Bail on the 1st day of February, 1866, and on the 1st February, 1876.

	1866.		1876.	
	Males.	Females.	Males.	Females.
On Bail :—				
For Hearing	13	1	27	.....
Under Committal	37	3	38	1
In Watch-house :—				
For Hearing	47	12	84	17
Under Committal	13	1	49	1
Under Sentence	22	4	39	3

EDMUND FOSBERY,
Inspector General of Police.

13th June, 1876.

TABULAR

TABULAR STATEMENT, showing the Number of Insane persons in custody of the Government, or in private Asylums, supported wholly or in part by the State, on the 1st February, 1866, and the 1st February, 1876, distinguishing sex; and also the number of persons employed in the above Institutions as professional men, clerks, matrons, attendants, nurses, or other servants, receiving pay from the State on the above dates, distinguishing sex.

Year.	Patients.			Professional Officers.			Other Officers.			Clerks.			Attendants and Nurses.			Servants.			Remarks.
	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.	
1866	659	381	1,088	3	3	6	2	8	2	2	46	29	75	9	5	14			
1876	1,046	656	1,702	*5	5	9	4	13	2	2	86	52	138	21	11	32	† 3 Chaplains Church of England. do. Roman Catholic.		

* Two of these Officers are Visiting Medical Officers only.

† The Chaplains have other duties unconnected with the Asylums.

F. NORTON MANNING,
Inspector of the Insane.

A RETURN showing the number of Children in the Protestant Orphan School, supported wholly or in part by the State, 1 February, 1866.

Boys.	Girls.	Total.
145	91	236

A RETURN showing the number of Children in the Protestant Orphan School, supported wholly or in part by the State, 1 February, 1876.

Boys.	Girls.	Total.
157	94	251

ANNIE O. PRINGLE,
Matron.

A STATEMENT showing the number of Persons employed at the Protestant Orphan School as professional men, clerks, teachers, instructors, matrons, warders, nurses, or other servants, receiving pay from the State, 1 February, 1876.

Professional Man.	Matron.	Master.	Teachers.	Sub Matron.	Drillmaster.	Gardener.	Labourers.	Baker.	Servants.
1	1	1	3 1 male, 2 female.	1	1	1	2	1 male.	10 female.

ANNIE O. PRINGLE,
Matron.

A STATEMENT showing the number of Persons employed at the Protestant Orphan School as professional men, clerks, teachers, instructors, matrons, warders, nurses, or other servants, receiving pay from the State, 1 February, 1866.

Professional Man.	Matron.	Master.	Teachers.	Drillmaster.	Gardener.	Labourers.	Baker.	Servants.
1	1	1	3 female.	1	1	2	1 male.	10 female.

ANNIE O. PRINGLE,
Matron.

A RETURN showing the number of Children in the Roman Catholic Orphan School, supported wholly or in part by the State, 1st February, 1866.

	Girls.	Total.
144	134	278

A RETURN showing the number of Children in the Roman Catholic Orphan School, supported wholly or in part by the State, 1st February, 1876.

Boys.	Girls.	Total.
174	135	309

A STATEMENT showing the number of Persons employed at the Roman Catholic Orphan School, as professional men, clerks, teachers, instructors, matrons, warders, nurses, or other servants receiving pay from the State, 1st February, 1866.

Matron.	Sub-Matron.	Doctor.	Female Teacher—Girls.	Female Teacher—Infants.	Male Teacher—Boys.	Assistant Master—Boys.	Clerk to Committee.	Infirmary Nurses.	Junior Boys' Attendant.	Infants' Nurse.	Attendant—Girls.	Female Cook.	Laundresses.	Matron's Servant.	Housemaid.	Male Baker.	Labourer—Garden.
1	1	1	1	1	1	1	1	2	1	1	1	1	2	1	1	1	1

M. A. ADAMSON.

Catholic Orphanage, 19th April, 1876.

A STATEMENT showing the number of Persons employed at the Roman Catholic Orphan School, as professional men, clerks, teachers, instructors, matrons, warders, nurses, or other servants receiving pay from the State, 1st February, 1876.

Medical Attendant.	Matron.	Sub-Matron.	Clerk to Committee.	Teacher—Girls.	Teacher—Infants.	Teacher—Boys.	Drill Master.	Nurses—Infirmary.	Nurses—Infants.	Attendant—Girls.	Attendant Junior Boys.	Baker.	Cook.	Housemaid.	Laundresses.	Attendant—Matron's.	Gardener and Labourer.	Labourer—Farm.	Wood-cutter.	Total.
1	1	1	1	1	1	1	1	2	2	1	1	1	1	1	2	1	1	1	1	23

M. A. ADAMSON.

BENEVOLENT ASYLUM, SYDNEY.

TABLE A.—Showing the number of Adults and Children in the Benevolent Asylum, Sydney, on the 1st day of February, 1866 and 1876.

	1866.	1876.
Adults—Women awaiting confinement, women recently confined, other women sick with infants, &c.	61	58
Children—including all infants* {	Male sex	78
	Female sex	65
	282	201

N.B.—All the inmates of this institution are supported by the State. Annual grant voted by Parliament for that purpose.

* The difference in the numbers of children in these two years is explained by the fact that a batch of fifty children had just before this date (January, 1876) been forwarded to the Randwick Asylum, under the provisions made by the Legislature for that purpose.

TABLE

TABLE B.—Showing the number of Persons employed and their offices, &c.

	1866.	1876.	Both Periods.
	Accountant and General Manager.....	1	1	Male.
Surgeon.....	1	1	Male.
Matron.....	1	1	Female.
Clerk and Out-door Inspector.....	2	2	Male.
Teachers.....	.....	.....	Female.
Instructors.....	.....	.....	.....
Warders.....	.....	.....	.....
Nurses and other servants.....	11	11	Females.
Servants.....	4	4	Male.
	20	21	

N.B.—The payment of these persons is derived both from the Government grant (as in Table A) and from the subscriptions of the public, amounting to about £700 per annum.

TABULAR STATEMENT connected with the working of the Government Asylums for the Infirm and Destitute.

	Number of Indigent Persons supported by the State.			Persons employed in the Asylums.									Inmate Warders, Nurses, &c., under pay.		
				Secretary.	Clerk.	Surgeons.	Dispensers.	Masters.	Matrons.	Sub-matron.	Males.	Females.				Total.
	Males.	Females.	Total.												
1 February, 1866.....	628	155	783	1	1	3	2	3	3	.....	77	13	90	
1 February, 1876.....	902	236	1,138	1	1	3	1	1	3	1	126	26	152		

The Government Asylum,
Sydney, 16 March, 1876.

FREDERIC KING,
Manager.

STATEMENT of the number of Persons under medical treatment, and of the number of Persons employed as officers and servants, receiving pay from the State, in the following Public Hospitals of the Colony, supported wholly or in part by the State, on the 1st day of February, 1876, and on the 1st day of February, 1866.

Hospital.	Number of persons under medical treatment.						Number of officers and servants.						Remarks.
	1 Feb., 1876.			1 Feb., 1866.			1 Feb., 1876.			1 Feb., 1866.			
	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	M.	F.	Total.	
Albury.....	12	2	14	7	1	8	5	2	7	5	1	6	No records for 1866. No records for 1866. Not in operation in Feb., 1866. No record of number of patients in 1866. Particulars for 1866 cannot be supplied. No records for 1866. Hospital not in existence on 1 Feb., 1866. Opened in 1872. Records for 1866 lost. Hospital not in existence in 1866.
Armidale.....	10	1	11	5	1	6	.....	.....	.....	.....	.....	.....
Bathurst.....	24	5	29	20	3	23	4	2	6	5	1	6	
Braidwood.....	3	1	4	5	3	8	2	1	3	2	1	3	
Burrangong (Young).....	3	.....	3	.....	.....	.....	2	1	3	.....	.....	.....
Carcoar.....	10	2	12	12	1	13	2	1	3	2	1	3	
Cooma.....	1	.....	1	.....	.....	.....	2	1	3	.....	.....	.....
Deniliquin.....	18	.....	18	21	.....	21	2	1	3	3	1	4
Forbes.....	6	2	8	.....	.....	.....	2	1	3	.....	.....	.....
Goulburn.....	5	1	6	8	.....	8	2	2	4	2	2	4
Grafton.....	3	.....	3	.....	.....	.....	2	1	3	1	1	2
Gulgong.....	2	.....	2	.....	.....	.....	3	1	4	.....	.....	.....
Maitland.....	14	4	18	25	5	30	5	2	7	4	1	5	
Murrurundi.....	5	2	7	.....	.....	.....	2	1	3	2	1	3
Muswellbrook.....	4	.....	4	.....	.....	.....	2	1	3	.....	.....	.....
Newcastle.....	18	2	20	.....	.....	.....	.....	.....	.....	.....	.....	.....
Orange.....	11	.....	11	.....	.....	.....	4	1	5	.....	.....	.....
Parramatta.....	9	.....	9	4	4	8	3	1	4	3	1	4
Queanbeyan.....	1	.....	1	.....	.....	.....	2	2	4	2	1	3
Scone.....	2	.....	2	.....	.....	.....	2	1	3	.....	.....	.....
Sofala.....	.....	.....	.....	.....	.....	.....	.....	1	1	.....	.....	.....
Hill End and Tambaroora.....	8	.....	8	.....	.....	.....	1	1	2	.....	.....	.....
Wellington.....	3	1	4	7	1	8	1	2	3	3	1	3	
Wollongong.....	2	1	3	2	.....	2	2	1	3	.....	1	1
	174	24	198	116	19	135	52	28	80	32	15	47	

RETURN showing the Estimated Number of Residents in the Colony of New South Wales, at following dates.

Date.	Males.	Females.	Total.
1st February, 1866	228,036	184,892	412,928
1st February, 1876	335,675	273,056	608,731

Registrar General's Department,
16 March, 1876.

E. G. WARD,
Registrar General.

[6d.]

Sydney: Thomas Richards, Government Printer.—1876.

1875.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUBMARINE CABLE BETWEEN NEW ZEALAND AND
AUSTRALIA, &c.
(AGREEMENT.)

Ordered by the Legislative Assembly to be printed, 21 December, 1875.

ARTICLES OF AGREEMENT entered into this twenty-fourth day of June one thousand eight hundred and seventy-five between His Excellency the Most Honorable George Augustus Constantine Marquis of Normanby Earl of Mulgrave Viscount Normanby and Baron Mulgrave of Mulgrave in the County of York and in the Peerage of the United Kingdom and Baron Mulgrave of New Ross in the County of Wexford in the Peerage of Ireland a Member of Her Majesty's Most Honorable Privy Council and Knight Commander of the most distinguished Order of St. Michael and St. George the Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its dependencies and Vice-Admiral of the same for and on behalf of the said Colony of the first part His Excellency Sir Hercules Robinson a Knight Commander of the most distinguished Order of St. Michael and St. George the Governor and Commander-in-Chief in and over Her Majesty's Colony of New South Wales and its dependencies and Vice-Admiral of the same for and on behalf of the said Colony of the second part and The Eastern Extension Australasia and China Telegraph Company Limited of the third part Witness that for the considerations herein appearing the said George Augustus Constantine Marquis of Normanby for himself separately and his successors in office Governors and Commanders-in-Chief for the time being in and over the said Colony of New Zealand and its dependencies and not for the said Sir Hercules Robinson and his successors in office Doth hereby for and on behalf of the same Colony so far as the agreements hereinafter contained are to be observed and performed on the part of the Governor or the Government of New Zealand And the said Sir Hercules Robinson for himself separately and his successors in office Governors and Commanders-in-Chief for the time being in and over the said Colony of New South Wales and not for the said George Augustus Constantine Marquis of Normanby and his successors in office Doth hereby for and on behalf of the same Colony so far as the agreements hereinafter contained are to be observed and performed on the part of the Governor or the Government of New South Wales agree with the said Company their successors and assigns And the said Company for themselves their successors and assigns do hereby so far as the agreements hereinafter contained are to be observed and performed on their part agree with the Governor or the Government of New Zealand and his successors and the Governor or the Government of New South Wales and his successors and also as a separate agreement with each of the said Governors and his successors for and on behalf of the said respective Colonies separately in manner following that is to say

1. In the construction of these presents the following words and expressions shall mean and include (unless such meaning shall be inconsistent with the context) as follows "The Governor of New Zealand" means the Governor for the time being of that Colony and includes also the Government for the time being of that Colony "The Governor of New South Wales" means the Governor for the time being of that Colony and includes also the Government for the time being of that Colony "The Governors" mean the Governor of New Zealand and the Governor of New South Wales "The Company" means the said Company of the third part their successors and assigns "The said cable" means the cable hereinafter contracted to be laid and any cable or cables which may be laid in substitution thereof or in addition thereto And whenever it is hereinafter agreed that the Governors shall do any act the meaning is hereby declared to be that the Governor of New Zealand shall be required to do such act so far as such act ought to be done in or in respect of or in relation to New Zealand and the Governor of New South Wales shall be required to do such act so far as such act ought to be done in or in respect of or in relation to New South Wales and that the Governor of New Zealand shall not be liable for the not doing of any act which ought to be done in or in respect of or in relation to New South Wales or by the Governor of New South Wales and that the Governor of New South Wales shall not be liable for the not doing of any act which ought to be done in or in respect of or in relation to New Zealand or by the Governor of New Zealand but that each Governor shall be liable only for his own default and not for the default of the other.

Governors to authorize submarine cable to be laid between New Zealand and New South Wales.

2. The Governors shall permit the Company to lay a submarine telegraph cable between New Zealand and Sydney in the said Colony of New South Wales the terminal point in New Zealand to be on the coast of Blind Bay or Golden Bay and the terminal point at Sydney to be the telegraph station there.

Company within fourteen days to obtain contract for construction of cable.

3. The Company shall within fourteen days after the day of the date of these presents or within such further time as shall be approved by the Governors obtain a *bona fide* contract to be entered into with them by some competent and responsible person or persons or Company or Companies to make and construct a suitable submarine cable to be laid between the said terminal points according to such a specification pattern or design as shall have been or shall be approved in writing on behalf of the Governors or one of them and shall as soon as shall be practicable produce the said contract to the solicitors in England of the Governors for inspection.

Company to lay cable with all necessary appliances and to open same for public use before 30th April 1876 or extended time.

4. On or before the thirtieth day of April one thousand eight hundred and seventy-six the Company shall properly lay the said cable between the said terminal points and erect and provide the stations operators clerks apparatus instruments appliances and materials necessary for the proper and continuous use and effective working of the said cable and shall open and use the said cable for the transmission of messages through the same but if the laying the said cable shall be delayed by causes over which the Company shall have no control the time within which the same is to be laid as aforesaid shall be extended to such further time as the Governors shall in their absolute discretion determine to be just and reasonable.

Company to keep cable &c. in good repair.

5. From time to time and at all times after the said cable shall have been opened for the transmission of messages and while any subsidies or subsidy shall be payable by the said Governments or either of them the Company shall keep open and use the same for such purpose and keep and maintain the same in good working order and condition and properly supplied with all such operators clerks apparatus instruments appliances and materials as shall be requisite or necessary for the proper and regular use and working of the said cable and shall for the purposes in this clause mentioned provide and keep properly equipped and ready for use a suitable steam vessel which when not in use for the same purposes shall be kept stationed at some port in New Zealand or at some port in Australia not situated nearer to the equator than the Port of Brisbane but if such vessel shall not be in use or required for such purposes the Company shall be at liberty to send the same to repair their Tasmanian cable if necessary.

And to provide and keep a vessel for such purpose.

6. The Governors respectively shall afford to the Company all proper and reasonable facilities to enable the Company to lay the said cable and to keep the same in repair and to acquire any land necessary for their terminal stations in the respective Colonies and in the event of the Governors having at their respective disposal and in possession lands not being land in a town suitable for such purpose the Governors respectively shall and will make a free grant thereof to the Company.

Governors to give facilities for laying cable and land for terminal stations.

7. Before the time hereinbefore appointed for opening the said cable the Governor of New Zealand shall cause to be constructed such land line or lines of telegraph wires as it shall be necessary to construct to enable messages to be transmitted from the said terminal station of the said cable in New Zealand to and over the existing system of telegraph wires in that Colony and the Governor of New South Wales shall afford to the Company the necessary facilities for enabling the Company to carry their wires into the Telegraph Station at Sydney and the Governors respectively shall provide such operators clerks apparatus instruments appliances and materials as shall be requisite or necessary for enabling messages which are to be or have been transmitted through the said cable to be transmitted over the telegraph systems of New Zealand and New South Wales respectively.

Governor of New Zealand to construct necessary land lines &c. and Governor of New South Wales to permit line to be carried into Sydney Office.

8. With a view to the more speedy transfer and transmission of messages the Governors respectively shall until the said subsidy shall cease to be payable and for a period of ten years afterwards and for so long thereafter as the tariff shall not be in excess of the charges mentioned in clause No. 11 of these presents give to the Company accommodation in their Telegraph Stations respectively at the terminal points of the said cable which the Company shall use for the transmission of messages through the said cable.

Governors to give to Company the use of a room in the Government offices at the terminal points.

9. The Governors respectively shall until the said subsidy shall cease to be payable and for a period of ten years afterwards cause the said cable and the telegraph instruments of the Company and all new screws shafts boilers piston-rods or tanks which the Company may send out to the said Colonies respectively for use in the said steam-vessel to be relieved from Custom duties and the said vessel to be exempt from all port dues in the Colonies respectively when engaged solely in carrying out the purposes mentioned in clause No. 5 of these presents and such vessel shall always be on a not less favourable footing than other vessels.

Governors to cause telegraph instruments &c. to be relieved from Custom duties and vessel to be exempt from port dues.

10. The Company shall at all times hereafter give priority in transmission through the said cable to all messages sent by Her Majesty the Queen or the Governors or the Governors of any Australian Colony respectively or any department or official (as such) of the Government of Her Majesty or of the Colony of New Zealand or of any Australian Colony respectively.

Government messages to have priority.

11. The Company shall not during the continuance of the subsidies hereinafter firstly mentioned respectively make any charge for the transmission of messages through the said cable exceeding seven shillings and sixpence for a message not exceeding ten words and ninepence for every additional word (the names and addresses of the sender and addressee being counted as part of the message) and shall reduce the said charge to a charge not exceeding five shillings for every message not exceeding ten words and sixpence for every additional word in either of the following cases that is to say in case during any period of six calendar months the average number of messages delivered or forwarded for transmission through the said cable shall have amounted to two hundred per day excluding Sundays in which case the said reduction shall commence from and after the expiration of such six calendar months but if the average number of messages after having amounted to such an average of two hundred per day as aforesaid shall again fall for a period of six calendar months below such average then the said reduction shall cease until the said average shall be again reached when the said reduction shall again take place and so on from time to time Or in case the Governors or either of them shall at any time or from time to time deliver any notices or notice whereby they or he shall agree to make payment for the period mentioned in such notices or notice to the Company for the number by which the messages actually delivered or forwarded for transmission through the said cable during such period shall fall short of an average number of two hundred messages per day excluding Sundays during the period mentioned in such notices or notice the Company being

Tariff.

being nevertheless entitled to the full benefit of the moneys received for transmission of messages through the said cable if the average number of messages per day excluding Sundays shall during such period exceed two hundred.

12. The Governors respectively shall during the continuance of the said subsidies respectively cause all messages for transmission between New South Wales and New Zealand and *vice versa* to be sent through the said cable unless otherwise directed and all messages for transmission beyond the said Colonies not otherwise directed to be sent by the sender to be transmitted over the telegraph system of the Company so far as the same can be used and if the same be in good working order and shall at all times hereafter afford to the Company similar advantages to those (if any) afforded to any other Company of allowing the route of a message to be indicated therein by the words "*via Darwin*" or like words without any charge for the same.

Undirected messages to be sent over the Company's system.

13. The Governors respectively shall not make any terminal charge or make any charge for any message transmitted over the lines of telegraph belonging to the said Colonies respectively to or from the said cable in excess of the lowest ordinary rates according to the character of the message so long as the said subsidies respectively shall continue to be payable nor after the said subsidies respectively shall have ceased to be payable so long as the Company shall not increase their rates beyond the rates chargeable as hereinbefore mentioned. And so long as the said subsidies respectively shall continue to be payable the Governor of New South Wales shall cause New Zealand messages to or from Darwin to be transmitted from or to Sydney at rates not exceeding the rates charged for messages between Melbourne and Darwin.

Governors not to make terminal charge or charges beyond ordinary rates.

14. If the Company shall perform their undertaking contained in the 3rd clause of these presents and if the said cable shall be laid and completed and opened for use before the 30th day of April 1876 or within such extended time as aforesaid the Governor of New Zealand shall pay to the Company a subsidy of Five thousand pounds and the Governor of New South Wales shall pay to the Company a subsidy of Two thousand five hundred pounds respectively during a period of ten years to be computed from the day when the said cable shall be completed and shall be actually opened and used for the transmission of messages such subsidies to be respectively payable by equal quarterly payments at the Treasuries of the said Colonies respectively the first quarterly payment whereof respectively shall be made at the expiration of three calendar months after the day from which the said subsidies respectively shall have commenced to be payable the said subsidies respectively nevertheless to be subject to reduction or determination as hereinafter mentioned.

Governors to pay subsidies of £7,500 a year.

15. The Governors respectively shall from time to time pay to the Company in addition to the said subsidies so long as the same shall be payable respectively such sums as will be sufficient to recoup to the Company any taxes Parliamentary or otherwise which they shall pay in the said Colonies respectively.

Subsidies to be free of taxes.

16. Provided always that if at any time or from time to time the said cable shall not be in good working order and condition and open for use any day or number of days in excess of an aggregate period of ninety days in any one year computed from the day on which the said subsidies respectively shall commence to be payable as aforesaid the Governors respectively shall and may from time to time deduct from any moneys payable by the Governors respectively to the Company a proportionate part of the said subsidies respectively for and in respect of each and every day so in excess of the said aggregate period of ninety days during which the said cable shall not be in good working order and condition and open for use until the said cable shall be in good working order and condition and open for use or until the said subsidies respectively shall be determined under the next clause of these presents it being nevertheless agreed that if the Company shall be able at any time or from time to time to satisfy the Governors that the repair of the said cable could not have been reasonably effected and completed within the said period of ninety days on account of causes over which the Company shall have had no control the said aggregate of ninety days shall on the occasion in question be extended to such an aggregate period as the Governors shall determine to be just and reasonable. Provided nevertheless that any such extension of time shall not entitle the Company to payment of any subsidy in excess of the said period of ninety days if in consequence of the said cable continuing to be not in good working order and condition and open for use the said subsidies shall cease to be payable as in the next clause of these presents mentioned.

In what case subsidies may be reduced.

17. Provided also that if at any time or times the said cable shall not be in good working order and condition and open for use for and during any continuous period of one hundred and eighty-three days or any such extended period as hereinafter mentioned as the case may be it shall be lawful for each or either of the Governors at any time thereafter by notice in writing to be delivered to the Company in London to determine and put an end to the Contract hereby made so far as regards the Colony by whose Governor the notice is given and the subsidy payable by that Colony and the provisions herein contained which are conditional on the subsistence of the Company's right to the same subsidy in which case the said subsidy shall cease to be payable it being hereby agreed and declared that if the Company can satisfy the Chief Justice of either of the said Colonies if both Governors shall so give notice or of the Colony whose Governor shall so give notice that the Company have been and are making all reasonable efforts to repair or replace the said cable without delay and he shall determine that the said period of one hundred and eighty-three days ought under the circumstances to be extended then the said period of one hundred and eighty-three days shall be extended to such a period as the said Chief Justice shall determine and if the Company can satisfy the said Chief Justice that any new cable which the Company may have obtained to replace the said cable has been lost or damaged in transit and the said Chief Justice shall determine that the said period of one hundred and eighty-three days ought in consequence to be further extended then the said period shall be further extended to such a period as the said Chief Justice shall determine. It being nevertheless expressly agreed and declared that the Company shall not be entitled to or allowed under any circumstances any extension of the said period of one hundred and eighty-three days so as to make up in the whole a period in excess of eighteen calendar months. And it being further agreed that in the event of the Contracts hereby made and the said subsidies or either of them being so determined and put an end to as aforesaid the Company shall have and retain their property in New Zealand and New South Wales respectively with all such similar rights of working and using the said cable and repairing the same as they would have had and been entitled to if the Company had laid the said cable with the approval of the Governors without any provision having been made for payment of any subsidy by the Governors or either of them to the Company and that while the Company shall duly observe and perform all the provisions and agreements herein contained on their part to be observed and performed which are not conditional on the subsistence of their right to a subsidy they shall retain all other rights hereby granted to them which are not conditional on the subsistence of their right to a subsidy.

In what case subsidies may be determined.

If New Zealand and Australian Governments grant subsidies of £20,000 a year free of income tax existing tariffs to be reduced.

18. The Company shall reduce their charges for messages over their lines and cables as hereinafter mentioned if the Governors and the respective Governors for the time being of the other Australian Colonies or any of them shall enter or be ready and willing and offer to enter into an agreement or agreements with the Company for the payment to the Company in addition to any other subsidy payable under these presents of an aggregate of subsidies amounting to twenty thousand pounds per annum payable quarterly during a period of ten years at the respective Treasuries of the Colonies free of income or property tax (if any payable) in the Colonies respectively such subsidies nevertheless being subject to be reduced (*pro rata* if necessary) by one hundred pounds per annum for or in respect of every one hundred messages beyond thirty thousand messages which shall be transmitted in any year to be computed from the day from which the said subsidies shall commence to be payable and the said subsidies being also nevertheless subject to suspension or determination as hereinafter mentioned.

How tariff to be reduced.

19. During the continuance of the subsidies in the last preceding clause mentioned the Company shall not in the event last aforesaid make any charge for the transmission of such messages as hereinafter mentioned in excess of the charges hereinafter mentioned that is to say—For a message not exceeding ten words to or from Port Darwin from or to London sixty shillings and six shillings for each additional word the names and addresses of the sender and addressee thereof being counted as part of the message For a like message to or from Port Darwin from or to Java twenty shillings and two shillings for each additional word in addition to any terminal or transit charges of the Governments of the respective countries at which the message shall have to be delivered or through which it shall have to be transmitted For a like message to or from Port Darwin from or to Singapore India or Penang thirty shillings and three shillings for each additional word in addition to any such terminal or transit charges as aforesaid And for a like message to or from Port Darwin from or to Hong Kong sixty shillings and six shillings for each additional word in addition to any such terminal or transit charges as aforesaid And in case the rates the Company may have to pay for transmission of a message between Madras and London shall at any time or from time to time be reduced more than one shilling below the rate of one pound seven shillings including the charges made by the Indian Government then during the continuance of such reduction the rate above mentioned for a message to or from Port Darwin from or to London shall be reduced to the extent of such reduction beyond the one shilling and if at any time the rate the Company may have to pay for transmission of a message between Madras and London shall be increased beyond the present rate the Company shall be at liberty to determine and put an end to the arrangement as to reduced rates in this clause mentioned in which case the said subsidies amounting to twenty thousand pounds shall cease to be payable.

Company to keep their cables north of Port Darwin in good repair.

20. The Company shall in the event mentioned in clause No. 18 of these presents from time to time and at all times after the said last-mentioned subsidy shall commence to be and so long as the same shall be payable keep open and use for the transmission of messages all the lines of cable or telegraph wire belonging to or worked by them between any of the places in the last preceding clause mentioned except between Singapore and Hong Kong and shall keep and maintain the same in good working order and condition and properly supplied with all such operators clerks apparatus instruments appliances and materials as shall be requisite or necessary for the proper and regular use and working of the same.

In what case subsidies of £20,000 may be reduced.

21. Provided always that if at any time or from time to time any of the lines of cable or telegraph wire between the places in clause No. 19 of these presents mentioned except between Singapore and Hong Kong shall not be in good working order and condition and open for use so as to enable any of such messages as in the same clause mentioned to be transmitted for any day or number of days in excess of an aggregate period of thirty days in any one year computed from the day on which the said last-mentioned subsidies shall commence to be payable the Governors of the Colonies liable to pay the same or any or either of them shall and may from time to time deduct from any moneys payable by such Governors respectively to the Company a proportionate part of the subsidy payable by such Governors respectively for and in respect of each day or days so in excess of the said aggregate period of thirty days during which any of the same lines of cable or telegraph wire shall not be in good working order and condition and open for use until the said cable shall be in good working order and condition and open for use or until the said subsidy shall be determined under the next clause of these presents.

In what case subsidies of £20,000 may be determinable.

22. Provided also that if at any time or times any of the said lines of cable or telegraph wire between the places in clause No. 19 of these presents mentioned except between Singapore and Hong Kong shall not be in good working order and condition and open for use so as to enable any of such messages as in the same clause mentioned to be transmitted for and during any continuous period of one hundred and eighty-three days or any such extended period as hereinafter mentioned as the case may be it shall and may be lawful for the Governors or either of them or the Governors of the other Australian Colonies or any of them or any of such Governors at any time thereafter or from time to time by notice in writing delivered to the Company in London to determine and put an end to the agreement for the payment of the said last-mentioned subsidies in which case the same shall cease to be payable it being hereby agreed and declared that if the Company can satisfy the Governors or Governor giving the said last-mentioned notice that all reasonable efforts to repair or replace without delay the line of cable or telegraph wire which shall then be out of repair have been and are being made then the said period of one hundred and eighty-three days shall be extended to such a period as the Governors or Governor respectively giving the said last-mentioned notice shall determine it being nevertheless expressly agreed and declared that the Company shall not be entitled to or be allowed under any circumstances any extension of the said last-mentioned period so as to make up in the whole a period in excess of eighteen calendar months.

How notice &c. on behalf of the Governors or Australian Governments to be given.

23. Any appointment approval inspection notice or act which may have to be given made or done by the Governors or either of them or by or on behalf of the Governor of any of the Australian Colonies for any of the purposes of these presents may be given made or done by any person or persons from time to time authorized by writing under hand to act on behalf of the Governor or Government or by the Colonial Treasurer or Postmaster General for the time being of the Colony in question or by any person or persons authorized for the purpose under the hand of such Colonial Treasurer or Postmaster General or by the Minister for the time being of the Colony in question having charge of telegraphs in that Colony or by any person or persons authorized for the purpose by the same Minister of New Zealand and New South Wales respectively.

How notices to be served on the Company.

24. The Company shall appoint a person in the said Colonies of New Zealand and New South Wales respectively and also a person in each of the other Australian Colonies the Governor or Governors of which shall agree to pay any subsidy to the Company upon whom any notice which may have to be given

given to the Company and which is hereby not expressly provided to be given to the Company in London may be served and in default of such appointment and of notice thereof being given to the Government of the Colony any such notice may be served on any operator clerk or officer of the Company in the Colony on behalf of the Governor of which the notice may have to be served and any such service as aforesaid shall be deemed to be a good service upon the Company and take effect accordingly except in cases where service on the Company in London is provided for.

25. No individual personal responsibility shall be incurred by the Governors or by the Honorable Sir Julius Vogel a Knight Commander of the said Most Distinguished Order of Saint Michael and Saint George or by Sir Daniel Cooper Baronet by whom on behalf of the Governor of New Zealand and the Governor of New South Wales respectively it is intended that these presents shall be signed or by any Governor of New Zealand or of any of the Australian Colonies in respect of any of the matters aforesaid. Governors not to be individually responsible.

In testimony whereof the said Sir Julius Vogel has signed the same in the name and on behalf of the said George Augustus Constantine Marquis of Normanby and the said Sir Daniel Cooper has signed these presents in the name and on behalf of the said Sir Hercules Robinson and the Company have hereunto affixed their Common Seal.

NORMANBY,
By JULIUS VOGEL,
Postmaster General of New Zealand.

HERCULES ROBINSON,
By DANIEL COOPER.



Signed by the above-named George Augustus Constantine Marquis of Normanby by the above-named Sir Julius Vogel and by the above-named Sir Hercules Robinson by Sir Daniel Cooper in the presence of

JNO. MACKBELL,
Solicitor,
21 Cannon-street.

The Common Seal of the Eastern Extension Australasia and China Telegraph Company was affixed in the presence of

JOHN PENDER, Director (Chairman).
GEORGE LYONS, Secretary.

1875.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

ELECTRIC TELEGRAPHS.

(PARTICULARS OF GUARANTEES.)

Ordered by the Legislative Assembly to be printed, 18 November, 1875.

RETURN to an *Order* of the Honorable the Legislative Assembly of New South Wales, dated the 17th November, 1874, That there be laid upon the Table of this House,—

“ A Return of all applications to the Government for the establishment of
 “ an Electric Telegraph in regard to which the Government have required
 “ a pecuniary guarantee from private individuals; showing, in each case,
 “ whether or not such guarantee was undertaken, the names of the
 “ guarantors, the amount guaranteed, the amount annually paid since by
 “ each guarantor in pursuance of any such guarantee, the names of every
 “ person who has failed or refused, or not been called upon by the Govern-
 “ ment to pay, and whatever reasons there may be for the course taken
 “ by the Government.”

(*Mr. W. Forster.*)

ELECTRIC TELEGRAPHS.

ADELONG.

Names of Guarantors—

S. C. Stewart,	A. Genham,
W. Menlove,	J. Price,
H. Moon, junr.,	Edwards Bros.,
J. K. Paul,	A. Watson,
J. B. Sharpe,	J. Kilpatrick,
N. Mandleson,	H. Parrington,
D. Wilson,	S. J. Waller.

Amount guaranteed—£104 per annum.

Amount annually paid—Nil. Revenue in excess of the amount guaranteed.

MERIMBULA.

Names of Guarantors—

W. M. Manning,	Adam K. Page.
James Manning,	

Amount guaranteed—5 per cent. on cost of construction.

Amount annually paid—Nil. Revenue in excess of the amount guaranteed.

BULLERAWA.

Name of Guarantor—

Thomas G. Dangar.

Amount guaranteed—£21 per annum.

Amount annually paid—£21 per annum.

HAY.

Names of Guarantors—

J. Downie,	E. C. Randall,
H. Leonard,	J. E. Blewett,
J. H. Pollard,	Simon Moss,
Louis Moss,	Abraham Moss,
Joseph Cohen,	Morris Cohen.
G. Barber,	

Amount guaranteed—5 per cent. on cost, and all working expenses.

Amount annually paid—Nil. Revenue in excess of guaranteed amount.

DUBBO.

Names of Guarantors—

G. W. Lord,	R. Hill,
E. B. Cornish,	J. E. Scrisier.
J. Christie,	

Amount guaranteed—5 per cent. on cost, and all working expenses.

Amount annually paid—Nil. Revenue in excess of amount guaranteed.

HILL END.

Names of Guarantors—

W. J. Pullen,	G. Hodgson,
R. E. Lee,	G. La Roche.
G. C. Kirkpatrick,	

Amount guaranteed—£60 per annum.

Amount annually paid—Nil. Revenue in excess of expenditure.

BOGGABRI.

Name of Guarantor—

J. K. Clark.

Amount guaranteed—£104 per annum.

Amount annually paid—£10 12s. 10d., difference between amount of revenue and sum guaranteed for 1874.

LAWRENCE.

Names of Guarantors—

R. A. Hyndman,	D. Ogilvie.
R. Nightingale,	

Amount guaranteed—5 per cent. on cost, and salary of Station-master.

Amount annually paid—Nil. Revenue in excess of expenditure.

CASINO.

Names of Guarantors—

A. McKellar,	J. Fredericks,
W. C. Bundock,	T. J. Cartill,
H. Barnes,	C. Edwards,
T. S. Hay,	A. W. Girard,
J. C. Irving,	G. Spark,
J. Grime,	W. Yabsley,
J. H. Sherwood,	J. Stocks.

Amount guaranteed—5 per cent. on cost, and salary of Station-master.

Amount annually paid—Nil. Revenue in excess of expenditure.

WOLLONGONG TO BULLI.

Name of Guarantors—

Bulli Coal Mining Company.

Amount guaranteed—£25 per annum.

Amount annually paid—£25 per annum.

BULLI TO BELLAMBI.

Name of Guarantors—

Bulli Coal Mining Company.

Amount guaranteed—£12 10s. per annum.

Amount annually paid—£12 10s. per annum.

NEWCASTLE TO WALLSEND.

Name of Guarantors—

Newcastle and Wallsend Coal Company.

Amount guaranteed—£22 10s. per annum.

Amount annually paid—£22 10s. per annum.

NEWCASTLE TO CO-OPERATIVE CO.'S COAL MINE.

Names of Guarantors—

W. Laidley,	Thomas Ireland.
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Amount guaranteed—£8 per annum.

Amount annually paid—£8 per annum.

NEWCASTLE TO THE LAMBTON COLLIERY.

Names of Guarantors—

R. A. Morehead,	M. Young.
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Amount guaranteed—£10 per annum.

Amount annually paid—£10 per annum.

NEWCASTLE TO THE NEW LAMBTON COLLIERY.

Names of Guarantors—

A. Rodgers,	S. Foyle.
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Amount guaranteed—£10 per annum.

Amount annually paid—£10 per annum.

NEWCASTLE TO WARATAH COLLIERY.

Names of Guarantors—

C. Smith,	J. S. Willis.
A. Stuart,	

Amount guaranteed—£20 per annum.

Amount annually paid—£20 per annum.

CO-OPERATIVE COAL MINE TO WALLSEND COAL MINE.

Names of Guarantors—

W. Laidley,	Thomas Ireland.
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Amount guaranteed—£5 per annum.

Amount annually paid—£5 per annum.

BINGERA LINE.

Names of Guarantors—

M. D. White,	H. Cousens,
J. E. Jones,	C. Bull,
T. Connolly,	A. W. Mallon,
L. Neil,	R. M'Donald,
E. W. King,	J. Arnweil.
R. H. Fitzsimons,	

Amount guaranteed—5 per cent. on cost of line, and salary of Station-master. Line only just completed.

COONAMBLE.

Names of Guarantors—

T. W. Buchannan,	W. Wilmott,
H. Gordon,	W. J. Cousens,
G. A. Lloyd, junior,	H. B. Tomkins,
H. S. Nelson,	W. Smith,
H. Smith,	J. M'Mahon,
W. Alison,	Fanning, Griffiths, & Co.

Amount guaranteed—5 per cent. on cost of line, and salary of Station-master. Line just completed.

WARIALDA.

Names of Guarantors—

J. H. Culley,	S. Cavenough,
G. Fullarton,	R. H. Fitzsimons,
M. J. Mears,	J. Crane,
J. Mannix,	J. Bowman,
C. M'Gee,	J. Cooper,
J. Wyndham,	G. Mecham.

Amount guaranteed—5 per cent. on cost, and salary of Station-master. Line just completed.

COONABARABRAN.

Names of Guarantors—

J. White,	J. Lyon,
G. Lennon,	F. J. Edwards,
W. J. Conder,	E. M'Guire,
J. Dean,	M. M'Donald,
T. Caddell,	J. Knight.
W. Field,	

5 per cent. on cost; also salary of Station-master and rent of office. Line just completed.

WALLABADAH.

Names of Guarantors—

J. M. M'Donald,	C. P. Guiggan,
E. Underwood,	R. Turner,
J. Cock,	J. Gardiner.

Amount guaranteed—£104 per annum. Line only opened a few months.

GRAFTON TO LEONSVILLE.

Names of Guarantors—

J. Laird,	J. Gray,
J. B. Bassatti,	H. Maurice.
R. Davidson,	

Amount guaranteed—5 per cent. on cost of line, and salary of Station-master. Line not yet completed.

INVERELL.

Names of Guarantors—

Colin Ross,	Colin A. Frazer,
Christopher Leigh,	Angus Fletcher,
John Heppernan,	J. J. Mann.

Amount guaranteed—£250 per annum.

Amount annually paid—Nil.

Bond cancelled by His Excellency the Governor and the Executive Council, it having been agreed by the Secretary for Works, in a letter dated 22nd June, 1866, that the Inverell Station should be credited with the revenue derived from the messages sent to that Station as well as with the revenue on messages sent therefrom.

COOLAH.

Names of Guarantors—

D. M'Master,	J. M'Master,
J. Allison,	R. Robertson,
A. Henderson,	A. J. Cox,
A. Pown,	D. M'Rae.

Amount guaranteed—5 per cent. on cost, and salary of the Station-master.

Amount annually paid—Accounts rendered, but no reply.

PILLIGA.

Names of Guarantors—

T. J. Dangar,	T. Cook,
G. Loder,	R. Richards,
M. News,	Ewan, Bros.,
C. S. Capp,	C. M'Kenzie,
J. Humphries,	J. Hall.

Amount guaranteed—£100 per annum.

Accounts rendered to the Guarantors.

CARCOAR.

Names of Guarantors—

B. Stimpson,	S. Meyer,
J. R. Icely,	J. Faggan,
J. Hillian,	J. Fitzpatrick.

Amount guaranteed—5 per cent. on cost, and salary of Station-master and working expenses.

Accounts have been rendered to Guarantors.

LINE FROM MORT'S DRY DOCK AND ENGINEERING CO.'S OFFICES.

(Pitt-street, Sydney, to Works, Balmain.)

Name of Guarantors—

Mort's Dry Dock and Engineering Co.

Amount guaranteed—£15 per annum.

Amount annually paid—£15 per annum.

LAMB, PARBURY, & CO., FROM OFFICES TO WHARFS.

Name of Guarantors—

Lamb, Parbury, & Co.

Amount guaranteed—£12 per annum.

Amount annually paid—£12 per annum.

MESSRS. P. N. RUSSELL & CO.'S LINE, OFFICES TO WORKS.

Name of Guarantors—

P. N. Russell, & Co.

Amount guaranteed—£5 per annum.

Amount annually paid—£5 per annum.

MESSRS. BIDDLEL, BROS., LINE FROM SHOP TO MANUFACTORY.

Name of Guarantors—

Messrs. Biddell, Brothers.

Amount guaranteed—£10 per annum.

Amount annually paid—£10 per annum.

THE COLONIAL SUGAR COMPANY.

Lines from Offices to Works.

Name of Guarantors—

The Colonial Sugar Company.

Amount guaranteed—£10 per annum.

Amount annually paid—£10 per annum.

MESSRS. GOODLET & SMITH.

Line from Offices to Works.

Name of Guarantors—

Messrs. Goodlet & Smith.

Amount guaranteed—£12 per annum.*

TAMBAROORA.

Names of Guarantors—

J. G. Renatean,	Jno. Beard,
E. Long,	J. Armstrong,
Jno. Callum,	John Johnson.
James Phillips,	

Amount guaranteed—£150 per annum.

Revenue in excess of guaranteed amount.

GERELDERIE.

Names of Guarantors—

H. Levy,	S. Harris,
M. Curtin,	A. Smith,
H. Low,	S. Gorman.

Amount guaranteed—£150 per annum.

Amount annually paid—Nil. Accounts rendered to the Guarantors, but no reply received.

WALCHA.

Extension applied for; money voted; but the applicants failed in getting Guarantors to sign the bond.

QUEANBEYAN.

Names of Guarantors—

G. Campbell,	A. Cunningham.
John James,	— Wright.

Amount guaranteed—5 per cent. on cost, and all working expenses.

Amount annually paid—Nil. Matter in the hands of Crown Solicitor.

* Line only completed few months.

GUNNEDAH.

Names of Guarantors—

J. C. Lloyd,	J. White,
G. B. Finlay,	J. Gill,
J. Paul,	L. W. Levey,
A. M'Donald,	F. Lassetter.

Amount guaranteed—5 per cent. on cost, and all working expenses.

Amount annually paid—Nil. Matter in the hands of the Crown Solicitor.

MERRIWA.

Names of Guarantors—

J. B. Bettington,	W. Puiti.
W. Sheppard,	

Amount guaranteed—£150 per annum.

Amount annually paid—Nil. Matter in the hands of the Crown Solicitor.

NARRABRI.

Names of Guarantors—

J. D. M'Ansh,	P. Quin,
J. Mosely,	L. Segol,
C. Eather,	J. Ezzy,
A. Goldman,	T. Donohoe,
C. H. Lloyd,	J. Single.
A. J. Doyle,	

Amount guaranteed—5 per cent. on cost, and working expenses.

Amount annually paid—Nil. Matter in the hands of the Crown Solicitor.

BOMBALA.

Names of Guarantors—

J. R. Nicholson,	H. W. Joseph.
W. Lahame,	

Amount guaranteed—£200 per annum.

Amount annually paid—Nil. Revenue in excess of guaranteed amount.

COOMA.

Names of Guarantors—

Cannot be ascertained.

Amount guaranteed—5 per cent. on cost of construction, and salary of Station-master.

The Guarantors paid £441 0s. 8d., including costs, difference between revenue received and the amount guaranteed.

BUBROWA.

The bond and papers are in use by the Crown Solicitor, who is taking proceedings against the Guarantors for the balance due by them.

E. C. CRACKNELL,
Supt. of Telegraphs.
15/11/75.

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

ELECTRIC TELEGRAPHS.
(ALTERATION OF TASMANIA AND VICTORIA CABLE TARIFF.)

Ordered by the Legislative Assembly to be printed, 11 January, 1876.

TASMANIA AND VICTORIA SUBMARINE TELEGRAPH EASTERN EXTENSION AUSTRALASIA AND CHINA
TELEGRAPH COMPANY (LIMITED.)

W. Warren, Esq., to E. C. Cracknell, Esq., Superintendent of Telegraphs, Sydney.

George Town, Tasmania,

17 November, 1875.

SIR,

I have the honor to inform you, that the Managing Director of this Company has been pleased to approve of my altering the Tasmania and Victoria Cable tariff from 1st January next, for Intercolonial telegrams, with the view of assimilating it with that of the several Colonies, by making the charge for a message of 10 words four shillings (4s.), exclusive of address and signature; and five pence (5d.) per word for all words in excess of ten. The address and signature to each message will be limited to ten words, and any words in excess of that number are to be charged for as part of the message to be transmitted.

Telegrams addressed to newspapers containing intelligence for publication will be transmitted at one-half the above rates.

I have, &c.,

W. WARREN,

Manager.

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SAN FRANCISCO SERVICE—TELEGRAPH CABLE CHARGES.
(CONFERENCE BY TELEGRAPH.)

Ordered by the Legislative Assembly to be printed, 9 August, 1876.

CONFERENCE conducted by telegraph, on Saturday, the 29th January, 1876, between the Honorable Sir Julius Vogel, K.C.M.G., of New Zealand, at Melbourne, and the Honorable John Robertson, Colonial Secretary, and the Honorable J. F. Burns, Postmaster General of New South Wales, at Sydney.

On the 28th January, 1876, Sir Julius Vogel telegraphed from Melbourne to Hon. J. Robertson stating that he (Sir Julius) was precluded by ill health from carrying out his intention of visiting Sydney, and suggesting that under the circumstances their contemplated conference might take place by telegram.

Mr. Robertson concurred in Sir Julius's suggestion, and named noon on Saturday, the 29th January, 1876, as the time that would suit him for conferring, and he requested Sir Julius to make the necessary arrangements with the Victorian Government for the uninterrupted use of the telegraph wires of that Colony.

Sir Julius Vogel concurred, and the Hon. Mr. Burns arranged for the free and exclusive use of the New South Wales Telegraph.

The following subjects (amongst others) were dealt with :—

SIR JULIUS VOGEL'S LIST.

Outstanding Accounts between the two Colonies.
Modifications of San Francisco Service.
Charge to Fiji for use of Service.
New Cable charges.

THE HONORABLE JOHN ROBERTSON'S LIST.

Overlapping of temporary and permanent Services.
Charter of "City of Melbourne."
Case of "Vasco da Gama."
Do. "Colima."
Delay in transit of mails across the American Continent.
Our claim under the Russell-Samuel Agreement.

[SIR JULIUS VOGEL'S LIST.]

OUTSTANDING ACCOUNTS BETWEEN NEW ZEALAND AND
NEW SOUTH WALES.

SIR JULIUS VOGEL to HON. JOHN ROBERTSON and HON. J. F. BURNS.

WE claim half of three thousand four hundred and fifty-seven pounds ten shillings, viz., seventeen hundred and twenty-eight pounds fifteen shillings. Your claim is for half fourteen thousand six hundred and ninety-eight pounds two shillings and ten-pence, viz., seven thousand three hundred and forty-nine pounds one shilling and five-pence. The difference is five thousand six hundred and twenty pounds six shillings and five-pence. I propose to forward you this from Wellington, but ask you to allow me to reserve the right to move you to reconsider your account against us should Mr. Russell think any of the items are outside the intention of the Agreement. In such case we would argue out the matter.

ANSWER.

WE have not all particulars of your claim. Believe ours to be correct. What we have is an account up to the 29th May, amounting to £1,907 10s., less one-half. We wrote your Government respecting this 2nd July, taking exception to some of the items, and have not heard from your Government on this subject since then. Your account includes charges for services on the west coast as well as on the east. Your right under clause 6 of the agreement only extended to branch service between Port Chalmers and Auckland. Your Government claim services from Manakau to Port Chalmers and from Nelson to Hokitika. Content to leave this matter until you return to Wellington.

FROM SIR JULIUS VOGEL.

WE abandon the charge of which you complain. The account I have referred to excludes them; I will send it on.

MODIFICATION OF SERVICE.

FROM SIR JULIUS VOGEL.

OUR Parliament wishes service modified, if acceptable to you. I do not see how it is to be done with the views I believe you hold. In my own opinion the calling at Fiji is dangerous, unnecessary, and likely to break the service down. I would negotiate on the basis of the changes being made at the Bay of Islands or Auckland. There is another plan which possibly might prove acceptable to us, but I could not do more than discuss it. I allude to a plan by which we would have a branch boat (say 2,000 tons) to and from Fiji and Port Chalmers. You would have main boats both ways, and should pay from £5,000 to £10,000 more than at present. We should have merely a mail service, and should not pay more than £15,000. The contractors should reduce the cost to about £65,000. This plan is, I think, like one proposed by Parkes. You would receive contributions from other Colonies,—we of course having our postages both ways. I only suggest this—I do not know if it would be acceptable to my Government. Of course if change be not made with joint consent we support and adhere to contract as it stands.

ANSWER.

WE are content with the contract as it is if properly carried out. If you desire any change it might be better to leave the matter until you can write from New Zealand.

FROM SIR JULIUS VOGEL.

So let it be. If you are content with it as it is, I do not see that we can propose anything that would suit you. After time you may perhaps see how objectionable the Fiji route is. I have only to add that I hope you will compel contractors to adhere to letter of contract where our interests are concerned as well as yours.

ANSWER.

WE will insist contract being carried out as you wish. Rely upon it your interests will be regarded as rigidly, if not more so, than our own.

CHARGE TO FIJI AND NEW CALEDONIA FOR USE OF SERVICE.

FROM SIR JULIUS VOGEL.

FIJI SERVICE.—I should be glad to have your views. I think the Colony of Fiji and Home Government should pay a net amount of about £5,000 to us, and Fiji keep the postage.

ANSWER.

WE think with you that Fiji should contribute, and will communicate with Secretary of State for the Colonies.

FROM HON. JOHN ROBERTSON and HON. J. F. BURNS.

WE have despatch from Governor of Fiji and other correspondence on subject of Fiji postages. Propose that Fiji pay same rate as other Colonies for use of service, so long as no subsidy is paid by her. Do you dissent—or shall we insist on the £5,000?

ANSWER.

I THINK Fiji is different from other Colonies, as boats call there, and should prefer stipulating for fixed sum. As a matter of fact the cost of calling at Fiji is about £15,000 a year; so that £5,000 is very little, and should be increased as the Colony progresses. New Caledonia might give £5,000 and send mails across to Fiji. This would materially reduce our cost.

FROM

FROM HON. JOHN ROBERTSON AND HON. J. F. BURNS.

WE will endeavour to carry out your wishes in both regards and decline the postage. We assume that we are to negotiate on behalf of New Zealand as well as our own Government?

ANSWER.

Yes, that is what I propose.*

NEW CABLE CHARGES.

FROM SIR JULIUS VOGEL.

WHAT do you propose about charges for telegrams at Sydney? Cooper agreed to make a charge of sixpence a telegram for delivery, the contractors to deliver them to your messengers at Sydney. You have, I understand, objected to the contractors going to Sydney. What do you propose about charge for telegrams to Sydney?

ANSWER.

TELEGRAPH Act would not permit line Botany to Sydney in hands of a Company. We are constructing a line, and propose to charge sixpence each way for messages ten words, which will barely cover expenses. This will include delivery charges. Do you approve?

FROM SIR JULIUS VOGEL.

HAD I known at the time I was negotiating with Cooper, that there was an impediment to going to Sydney with line, I would have agreed to place Sydney on same footing as elsewhere. I think the compromise you now propose very reasonable, but would suggest half-penny a word, for reasons which apply to all telegrams, and which I am prepared to bring before you as follow:—

The cable charges between New South Wales and New Zealand will include address and signature, whilst ordinary charges do not. Would it not be better therefore to make the land charge for these messages one penny a word, getting the other Colonies to do the same? Of course, when messages go past Sydney, I understand the penny rate only is to be charged, and not the additional half-penny. And the rate for English messages is to be the same as that charged from Melbourne to Adelaide.

ANSWER.

As the cable rate is a ten-word tariff, it would cause confusion in accounts to charge a word rate on land and ten-word rate for the cable. Would prefer the sixpenny rate, unless Company will consent to word by word tariff, when will be prepared to adopt your suggestion. Hope you will agree to this. The Company could not bring the cable into Sydney, and it would not be safe to lay a subterranean line. The through rate to other Colonies, including Darwin, will not be altered.

FROM SIR JULIUS VOGEL.

I do not think you see the point of their ten words including address and signature whilst colonial rates do not. However, we can always communicate when line is laid. Meanwhile, you might telegraph to Company, suggesting word rate of nine-pence. In any case I will agree to your proposal, sixpence ten words Sydney, and I presume half-penny a word additional. Say if this is so, and also that you do not propose to charge the Sydney rate on messages going past Sydney. That would be contrary to agreement in every way.

ANSWER.

QUITE understood point. Ten words, including address, sixpence, and half-penny for additional word, satisfactory. This does not apply to messages going past Sydney.

RECAPITULATION

* The following telegram was subsequently sent by the Colonial Secretary, Sydney, to Hon. Julius Vogel, Wellington, dated 26 February, 1876:—

“Burns and I overlooked, in our telegraphic conversation with you on twenty-ninth January last, that our predecessors in office somewhat committed this Colony to carry Fiji mails for postage only. Copy of the correspondence per next-mail.”

To which Sir Julius Vogel referred in the following extract from a letter he addressed to the Postmaster General, New South Wales, dated the 28th February, 1876:—

“Since the above was written I have received a telegram from the Hon. Mr. Robertson, copy of which I enclose. I understand from this that your Government consider the conditions with Fiji are somewhat affected by the action of the preceding Government; but I do not understand Mr. Robertson to consider the question so settled as to preclude your negotiating as agreed upon at the recent conference by telegraph. Possibly Fiji might prefer paying a stated sum; and any understanding with the late Government could scarcely have been so definite as to preclude consideration of this fact, which arose after that Government's retirement,—that the contractors are willing to take £15,000 less if the calling at Fiji is abandoned. The correspondence which was sent to us from your Colony on the subject, together with that in our own offices, does not lead to the conclusion that the consideration of the subject is closed. Writing of that arrangement on the 26th January, 1875, Mr. Tilley, the Secretary to the London Post Office, spoke of it as a temporary measure. Mr. Samuel, in his memorandum of the 31st July, 1874, which was forwarded to us by the Hon. Mr. Parkes, stated that it would ‘be necessary to obtain, before any decision could be arrived at, the consent of New Zealand to his proposal. To this we replied—‘We concur in the recommendation made by the Hon. Mr. Samuel in regard to the carriage of Fiji mails as a temporary arrangement; but suggest that if, after a year or so, Kandavau should continue to be a port of call for the Pacific mail steamers, the Fiji Government should be required to pay a subsidy for the advantage conferred upon those islands.’ Since then Fiji has become a British Colony, and the extra cost of calling there is £15,000. Surely the time has arrived when the temporary arrangement should be superseded. Recent letters from the Colonial Office treat the question as open, and there was also an invitation to postpone dealing with it till after Sir A. Gordon's arrival. I am under the impression your predecessors retired before the Governor of Fiji took office, so that in all ways it seems to me you are free to act; and this Colony decidedly desires a fixed contribution from Fiji.”

RECAPITULATION TELEGRAM.

FROM SIR JULIUS VOGEL.

FOLLOWING I understand to be decisions: am I right?

1. I am to send on account to Sydney.
2. You are not prepared to agree to modifications of service, but if we think fit we can further communicate with you on subject. I may say, however, that if you obtain what we have agreed to from Fiji and New Caledonia, our Parliament will be satisfied.
3. You are to negotiate to obtain £5,000 from Fiji and £5,000 from New Caledonia.
4. You agree to sixpenny rate between Sydney and landing-place, but rate from landing-place to other parts to be ordinary rate.
5. You are to suggest to Company nine-penny word rate.

ANSWER.

YOUR recapitulation of what we have agreed to is correct.

[THE HON. JOHN ROBERTSON'S LIST.]

OVERLAPPING OF TEMPORARY AND PERMANENT SERVICES.

FROM HON. JOHN ROBERTSON AND HON. J. F. BURNS.

ALL that we have to say in reference to overlapping is to explain the state of matters, which is as follows:—

On 22 May, 1875, the then existing contract with the A. S. N. Company having nearly terminated [the last steamer being appointed to leave Sydney 3rd July], the Government telegraphed to Sir D. Cooper to ask Mr. Russell whether if willing, in view of delay in taking permanent contract, to renew temporary contract; but wishes to delay fixing exact time until tenders opened in London, 1st June. On 17 June, A.S.N. Company pressing for decision as to whether we intended renewing contract, the Government, in the same telegram which authorized the acceptance of Company's tender, informed Sir D. Cooper that we intended to-morrow renewing temporary contract until November. Not until the 24th was the Government advised that the Pacific Company's tender was accepted, and on the 26th we were told that contractors would commence service in November—owing to a legal difficulty the contract had to be re-executed, and this was not done until 19th July—the telegram from this Government approving of the new arrangement [Pacific Company as contractors, Elder and Macgregor sureties] stated that permanent service must not clash with temporary. Owing to some at present unexplained circumstance, the commencement of the permanent contract was so arranged in England as to clash with the extended temporary service as regards the departure from San Francisco; the time appointed for the sailing of the two last steamers from that port being 8th November and 6th December; the time for the first two leaving under the permanent contract being 10th November and 8th December. The agreement moreover only provides for the contract commencing 15th November, and yet under arrangement above described it was made to commence on 8th November. This clashing will involve a loss to the two Governments of £6,119 4s. 8d., that is if the subsidy of the "Colima," the first overlapping boat of the Pacific Company, is paid. This matter having been settled satisfactorily by New Zealand paying its share of the overlapping trips of the A.S.N. Company, we think it desirable to inform you of the facts.

ANSWER.

I THINK we need not revive the subject of the overlapping. It arose through the great difficulty that was inseparable from a distant negotiation. The contractor's representative in England was very reasonable. He offered to do service for nothing till proper boats ready. Break down of cable delayed this; and when Watt wrote you about it he offered to charter you "Cyphrenes." This was not intended. I am sure the contractors would have paid everything until they were ready with proper arrangements. Under the proposal to which I refer subsidy to "Colima" should not be paid, and you should telegraph to that effect to Mackrell. Suggest also that contract commence with outgoing boat. Mackrell would communicate with both Cooper and Russell.

FROM HON. JOHN ROBERTSON AND HON. J. F. BURNS.

CONTENT to let overlapping matter rest, and can appreciate the difficulties to which you allude, but the only gratuitous offer we had was to convey the October mails from Frisco by the "Vasco da Gama." We shall telegraph to Mackrell as you suggest, that contract should commence with outgoing mail.

ANSWER.

I REFER to Watt's letter to Postmaster General, Sydney, 10th November, the Company's representative's offer to convey the mails as best he could, free of cost, until they could carry out arrangements properly, which he expected to be able to do this month.

CHARTER

CHARTER OF THE "CITY OF MELBOURNE."

FROM HON. JOHN ROBERTSON AND HON. J. F. BURNS.

IN reference to the "City of Melbourne," we are advised of her safe arrival at Frisco. Anticipate she will bring mails from thence 2nd February. We telegraphed Forster and Cooper, London, advising she was chartered owing to contractors' default, "Colima" having broken down, and that she would be available for return mails 2nd February, but have received no reply. Forster and Cooper requested to inform contractors. We informed contractors' agent here in similar terms, but he declined to waive contractors' right to bring return mails unless we indemnified contractors against consequences arising from failure to supply vessel on that date. Can you give any information in relation to this matter?

ANSWER.

I KNOW nothing of this matter.

CASES OF THE "VASCO DA GAMA," "COLIMA," AND "CITY OF SAN FRANCISCO."

FROM HON. JOHN ROBERTSON AND HON. J. F. BURNS.

CASE of "Vasco da Gama."—This vessel which only arrived on the 13th November, after negotiations had been commenced to procure another vessel in her stead, was announced to go *via* Auckland permission to go that route having been first applied for by Mr. Hall, and refused,—and permission to employ the "Cyphrenes" for that trip in lieu of the "Vasco da Gama" having also been applied for and refused. This Government had determined not to recognize the "Vasco da Gama" as a mail ship so long as she was announced to go by an unauthorized route, and accordingly did not issue the usual mail notice; and although communications passed between the Post Office and Mr. Hall, the vessel continued to be advertised *via* Auckland. Hall wrote a letter on the 18th November (copy of which and of all correspondence relating to the performance of services have been sent to New Zealand), stating that he was prepared to dispatch the vessel at the appointed time with mails to Fiji and San Francisco, and the usual notice was thereupon issued. The vessel, however, did go *via* Auckland, from thence to Fiji, and on to San Francisco; and the question to be determined is, whether the subsidy, less fines for the delay caused to the Sydney mails by the divergence to Auckland, is to be paid or not.

The question of payment of the "Colima's" subsidy remains to be decided. She occupied forty-five days in the passage (having broken down), and incurred penalties on account of the New South Wales Government, amounting to £1,488, or within £41 of the subsidy, besides having come by the unauthorized route of Auckland. The enforcement of penalties rests with the Postmaster General of the Colony affected by the irregularities; but in this and other cases, where unapproved vessels have been used, or unauthorized routes followed, it would seem desirable that the two Colonies should act in unison. What is your opinion?

Case of the "City of San Francisco." This vessel—the second overlapping boat—arrived here on the 7th January, but although she, like the "Colima," came *via* Auckland, the voyage was performed within contract time, twenty-seven days. She did not bring the mails, they having been forwarded by the "Mikado." It may be pointed out that the irregularities on the part of contractors have been more serious as regards New Zealand than even as regards this Colony, inasmuch as, with one single exception, the service between Auckland and Port Chalmers has never been attempted. The exception was in the case of the "Cyphrenes," an unapproved vessel, which broke down soon after leaving there. The Postmaster General of New Zealand, it may be added, has written expressing his concurrence in the action taken here in reference to the before-mentioned matters. Will you say what your views are, as to the payment of the subsidy in this case? You will, of course, bear in mind that each Government has already paid the "Mikado" subsidy for conveying the mails from Frisco.

ANSWER.

I AGREE that when both Colonies affected by any palpable irregularity, they should try to act together about penalties. Understood in England that we were not to pay for "Colima" to the Colonies, and am of opinion we should not pay for her trip to the Colonies. I have the papers *re* "Cyphrenes" and "Vasco," and I consider we should adhere to our decision not to regard the service as a contract one. The down service of the "City of San Francisco" we might pay half for. She brought no mails. I thank you for referring to our coastal service. We must have this properly performed, and will not recognize Hall's patched-up services. We put the mails on board the "Cyphrenes," with distinct intimation to that effect.

DELAY IN TRANSIT OF MAILS ACROSS THE AMERICAN CONTINENT.

FROM HON. JOHN ROBERTSON AND HON. J. F. BURNS.

THERE is no doubt that unnecessary delay takes place in the transmission of the mails across the continent by train, and this Government have it in contemplation to send an officer through with the mails between San Francisco and the place of shipment for England. This course was suggested by the New Zealand Post Office in May, 1874, but Mr. Samuel thought the officers would not be recognized by the American officials—the mails being conveyed under convention with England—and thought that agents at San Francisco and New York would meet the case. Delays up to five days have taken place in the transmission of the mails. Do you concur with us?

ANSWER.

Re Mail Officer.—I do not think English Government would move American Government to recognize officer, but I am favourable to appointment if officer properly recognized. The Mail Agent by steamer should be the one to go on with the mails. I think the delay occurs in this way—our mails are very bulky, and if carriage goes wrong detached and left behind. I believe if we put letters in bags distinctly marked from those of newspapers we could get them placed in carriage with United States Mails, and then no irregularity would occur or officer be wanted. It would not matter if newspapers were delayed.

FROM HON. JOHN ROBERTSON AND HON. J. F. BURNS.

WE agree, and assume we can negotiate on behalf of both Governments.

OUR CLAIM UNDER RUSSELL-SAMUEL AGREEMENT.

FROM HON. JOHN ROBERTSON AND HON. J. F. BURNS.

CLAIM under Russell-Samuel Agreement may be considered to have been dealt with.

1875.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

VOLUNTEER AND MILITARY FORCES.

(MEMORANDUM OF LIEUT.-COLONEL RICHARDSON AS TO ORGANIZATION OF.)

Ordered by the Legislative Assembly to be printed, 16 November, 1875.

MEMORANDUM on the present Organization, &c., of the Volunteer Military Forces of the Colony, and recommendation with reference thereto.

SITUATED as we are, and likely to be, without a sufficiently numerous body of regular troops for the conduct of a successful defence, it is imperative to consider the best means at disposal for placing the Colony in such a state of Military efficiency (in the end the most economical) as to allow of a Force taking the Field without unnecessary delay or confusion.

To do this, such a Force must possess an organization and training which will not necessitate loss of time and opportunity by reason of leaving the acquirement of the rudiments of military efficiency to the last moment.

At present these conditions are in no way fulfilled; the Permanent Artillery are too few in number—there is no Militia—and notwithstanding the excellent material at hand in our Volunteers, the system of training of that body is under the circumstances in which the Colony is placed miserably defective. By this I would have it understood that I do not disparage the Volunteers; on the contrary, I am proud to record my testimony to their efficiency, which has, I believe, attained as high a standard as is permitted under the present organization. That they have profited by the opportunities afforded may be judged by the number of efficient on the 1st of January, 1874, which by far exceeded those of former years, being 2,868 efficient out of 3,774, the total number of Volunteers on the roll; and on the 1st of January last, notwithstanding the fact of a decrease of the Force by one-sixth through the stoppage of recruiting, the number of efficient is within 18 of the first-named year. Feeling, therefore, that the Volunteers have done good service, all I would wish to be inferred is, that the system of training (as noted in my report for the first half-year of 1873, and subsequently), is, in my opinion, insufficient for the sudden exigencies attendant on a hostile demonstration, a contingency not only possible, but even probable, in the case of European complications.

In the first place, it appears to me that no undue delay should occur in completing the Fortifications with the armament at disposal; and in order that the same may be properly cared for and protected, the Permanent Artillery should at least be doubled.

The question of having a sufficient number of regular troops may, I think, be dismissed as impracticable, as also possibly the formation of a Militia on the same principle as in the Imperial service, in consequence of the conditions of service being too stringent and exacting for the circumstances of the Colony. *If this view be correct,*

I should recommend a re-organization of the Volunteer Force, somewhat in the form of a Volunteer Militia, with conditions of service which would press but little on the population; and although the length of the annual training would not be all that could be desired, still it would have the effect of gradually accustoming the popular mind to the idea of liability to general military service, and consequently the periods of training might hereafter be extended without raising any great antagonism of feeling.

In order to show the absolute necessity which exists for securing the military organization on a more reliable and satisfactory basis, and one calculated to stand the wear and tear of service in the field, I have to point out the most prominent causes of weakness in the present system, and to quote high authorities in support:—

1st.—Absence of power in the Officer Commanding Volunteer Force to inflict any penalty for misconduct. This appears to me to be a most anomalous and false position, when it is taken into consideration that the Volunteer Act vests that officer's subordinates with the power of summary dismissal of Volunteers, whilst he, who is responsible for the discipline, efficiency, and harmonious working of the whole Force, is, as far as means to effect his end, not only inferior to his subordinates, but *actually powerless*. This, in a comparative degree, is the case with Officers commanding Battalions, and consequently there is no complete chain of responsibility, unity of administration, or proper practice of interior economy.

2nd.—An educational standard for candidates for commissions should be required, as recommended by me some time ago.

3rd.—The election of officers by corps I consider a very serious drawback to the efficiency of the Force (as continually pointed out in my half-yearly reports, dating as far back as 1868), inasmuch that such a mode of appointment does not place the officer so elected in a sufficiently independent position with regard to those under his command; besides which, as a rule, there are more candidates than one, and consequently factions which breed dissension, more especially in the case of newly-formed corps electing their officers, and thus such corps commence their military career under unexceptionally unfortunate circumstances as far as unanimity and consequently discipline are concerned. To quote from a review on the English Volunteer Force on this point, "Officers have been elected by corps which have been permitted to hold meetings for the purpose, and it is liable to happen at any time, as it has happened before, that a corps which has been refused the officer of its choice, or having an unacceptable officer appointed, resigns, or threatens to resign, in a body—thus, in one sense, the ultimate power is practically vested in the rank and file. Now this is *at variance with the fundamental principle of a Military Force.*"

I would supplement this quotation with the chief reason given by a French officer for the laxity of discipline which existed in the National Guard during the late war, viz., "*that they elected their own officers.*"

I may add to this, that under such a system it does not follow, as a matter of fact, that the best man (apart from other considerations) is selected. The only and proper remedy for this is, that the appointment of officers be vested in the Governor, as Commander-in-Chief, having due regard to the recommendations of responsible officers.

4th.—I shall now, however, endeavour to show that the chief source of weakness in the present system is the want of *continuous training*; and the consequent inability to teach more than the mere routine of drill, of itself not sufficient to beget military efficiency.

Without

Without continuous training no armed body of men can become reliable as a military organization, and indeed there is a total absence of opportunity under the present system for the more extended acquirement of true discipline, and the practical knowledge of interior economy, and I feel that I can hardly lay too much stress on this point. The following quotation I have selected from a Review of the English Volunteer Force :—

“There is no opportunity of bringing the officers and non-commissioned officers into their proper mutual relations, and consequently they have no *real* military association with those under them, if we except the few hours they are paraded together annually; it follows, therefore, as a matter of course, more especially as regards the non-commissioned officers, who are, so to speak, the backbone of the Force, and upon whom the due maintenance of discipline *mainly depends*, have actually no opportunity of acquiring any knowledge of that interior economy which dictates a proper knowledge of their responsible position, the strict and impartial performance of their duties, together with their bearing and conduct towards officers and men in all the varied circumstances of a soldier's life. To acquire this knowledge, and to form good and efficient non-commissioned officers, requires *continuous training*.”

“The insufficient training of the men year after year may be reckoned as securing only such an amount of proficiency in the mechanical portion of a soldier's duties as could be acquired readily at any time by continuous drill for a month or so. The men in reality have no opportunity for the acquirement of habits of prompt and unquestioning obedience to orders (so essential in a military point of view), from the fact that, as a rule, their somewhat desultory and short drills rarely, if ever, put such a strain upon them.

“Under these circumstances it is difficult to see how there can exist that mutual confidence and chain of responsibility which should pervade all ranks, and is the first essential of good order and discipline.”

Again, I quote from a pamphlet entitled, “Regulations for the training of Troops for service in the Field, and for the conduct of Peace Manœuvres,” published under the authority of the Prussian War Office subsequent to the Franco-German War :—

“Discipline, that foundation stone of an army, the preliminary condition of all success, the maintenance of which is so necessary and beneficial, is a work of time, and can only be instilled by the untiring and devoted zeal of the officers. The training of individuals, be they officers or men, constitutes the foundation for the efficient training of any body of troops. The useful and harmonious co-operation of the integral parts which constitute a regiment can only be expected when every individual belonging to it has received this training. *A superficial cohesion, the result of mere drill, is sure to fall to pieces in critical moments.* Discipline can only be expected to furnish a firm bond of union when it is based upon the consciousness that success depends upon the co-operation of all in the manner directed by the Commanding Officer.”

Again, to quote a very distinguished soldier in the Imperial Service, viz., Sir Garnet Wolsley, who says, applicable to the system of desultory training of a Volunteer Force,—“Its officers may be highly instructed, its men first-rate marksmen, and all well drilled, but it is impossible that it can have the cohesion, and the mutual trust and confidence that characterise regiments of the line, constituting what is generally known by the term ‘discipline.’ The difference between Volunteer and Line Regiments is not in their respective knowledge of drill, it is in discipline, an element that can neither be bought nor learnt from books, nor suddenly created. Of all military qualities it is like the hardest and most valuable timber, of the slowest growth. It is a virtue imparting to well organized military

military bodies a species of mechanical order, by means of which the combined force of the many is made subservient to one directing will, so as to be easily concentrated upon any one point or in any one direction. Without discipline there can be no real bond of confidence between officers and men, or even between the privates themselves, and without it no great results can be achieved. Before any one can learn to command he must have first learned to obey. Obedience must be rendered unhesitatingly—orders must not be questioned, nor the advisability of instant compliance with them made the subject for discussion.”

If necessary I could add more in the same strain from Sir John Burgoyne and other eminent authorities, whose opinions are entitled to considerable weight.

One cannot fail to see at what an enormous disadvantage a Volunteer Force with so defective a training would have to take the field, if opposed by a body of highly trained troops, and I hardly imagine an enemy would give time to remedy so fatal a defect. For practical illustration we have only to turn to the American Civil war, and more lately to the Franco-German War, to see that no amount of personal bravery and devotion can successfully combat organization and discipline.

In the first portion of this memo. I have expressed a doubt whether an organization similar to the Imperial Militia would be suited to the condition of the Colony; I have therefore to submit for consideration a modified form of conditions of service which might be made applicable to a paid Volunteer Militia arising out of a re-organization of the Volunteer Force.

It will be seen on reference to the accompanying tabulated forms that I propose four districts, comprising Head Quarters, with 2,318 Artillery, Engineers, Mounted Rifles, and Infantry—Western District, 626 Mounted Rifles and Infantry—Northern District, 706 Artillery, Mounted Rifles, and Infantry—Southern District, 706 Artillery, Mounted Rifles, and Infantry,—giving a total of 4,356 of all ranks as the Peace Establishment, to be expanded in time of war to 5,716 of all ranks, or even to a greater extent.

This number would be barely sufficient for effective defence, for it must be borne in mind that notwithstanding the defensive has many points in its favour, it still requires a large Force to conduct such defence, which must moreover be prepared, as opportunity offers, to assume the offensive. I can do no better than quote from Major Home's "Precis of Modern Tactics" apropos of defence:—"When two armies come into contact, the one that acts on the offensive, or takes the initiative, has the power of selecting the point of attack, and of arranging against that point a superior Force. The defender does not know where he may be attacked, and has to provide for several possible contingencies. He is liable to be deceived, induced to disseminate his Force, and seek to be strong at all threatened points, while the assailant need only be strong at one, and that the decisive point."

Under such circumstances I do not consider the War Establishment contained in these tables is too large, as the Forces in the Northern and Southern districts must be retained in defence of Newcastle and Wollongong respectively, these localities being coal depôts and consequently of the utmost importance to hostile steamers. The defence therefore of Sydney and suburbs will be thrown upon the corps of the Head-quarter and Western Districts.

It may be argued that the Peace Establishment has too great a proportion of officers and non-commissioned officers as compared with the rank and file, but in order to meet this objection I would observe that the best and readiest method of development, and one calculated to weaken efficiency in the least degree, is to add private soldiers (who of all ranks require the least amount of training) to the cadres of regiments, which in peace time are fully officered, for it is obvious that

that recruits joining trained comrades will become sooner identified with the mass, and consequently efficient, than if associated with comrades of no previous service like themselves.

I would suggest, in the first place, the principle of voluntary enlistment for five years, having due regard to age, physique, &c., and in order to form an excellent nucleus it would be politic to allow of all Volunteers who are at present serving in prospect of receiving Land Orders to mature such service in this Force, at the same time reaping the benefit of various rates of pay. This I anticipate would not only go far to filling the ranks, but popularize the service, and eventually reconcile both employers and employed to regard the time spent in continuous training as a State necessity.

Failing, however, the completion of the establishment of the various districts by voluntary enlistment, recourse must be had to the ballot, allowing the provision of substitutes and respecting the recognized exemptions, the service in this case to be for six years, obviously to strengthen the voluntary principle.

Under well ascertained and weighty considerations men might be permitted to quit the service prior to expiration of term of enlistment on payment of cost of uniform, handing in arms, accoutrements, &c., the property of the Government; payment for any damage, loss, or destruction of Government property committed to their charges, provision of substitutes, and liability to further military service.

The annual training to consist of ten clear days in camp or barracks, and in addition six detached days during the other portion of the year; the continuous training to be carried out as far as practicable during the most convenient seasons in the various districts, and in such numerical proportions as shall least be felt, having however due regard for the efficiency of the training.

Recruits to be, as at present, gradually trained and passed into the ranks by a staff officer, and until then to receive no pay and to count no service.

The completion of term of service to carry with it exemption from further military service, unless under actual and urgent necessity, such as apprehended invasion, &c., &c.

During continuous training the Force to receive both pay and rations, and I would also recommend pay for the detached days of training, during the other portion of the year, at rates specified in pay-sheet attached, as I feel convinced that liberal pay must form a matter of consideration, if we are to depend for the most part on voluntary enlistment as opposed to compulsory service, and I think it will also go far to make up for loss of time during period of continuous training.

I am inclined to think that a Force of this description *in peace time*, and with so short a continuous training, might be satisfactorily governed without having recourse to the severe penal code of the Mutiny Act and Articles of War, and that the powers of punishment authorized in the Queen's Regulations, with forfeiture of pay for minor offences, would be sufficient; for more serious offences, summary dismissal, forfeiture of pay and service, coupled with obligation to make good, service so forfeited.

Absentees from continuous training to be treated as deserters, and liable to fine, forfeiture of service, and imprisonment, unless such absence was caused through sickness duly certified.

Absentees from detached days of training, to be subject to fine and forfeiture of service.

A penal code will however require careful consideration, and should adhere, as well as all other matters connected with the management of the Force, as nearly as possible to Imperial usage.

The final power of dealing with disciplinary matters should, as in Canada, be vested absolutely and solely in the Governor as Commander-in-Chief.

The

The question as to the administration of supply has hitherto been a vexed question in all armies, but recent experience has proved that the supply department *must* be under the control and subject to the orders of the Officer Commanding the troops, for *then* only can such officer be held responsible. The miseries endured by the English before Sebastopol in the winter of 1854, and also by the Americans in their Civil war, and the collapse of the French in the late war, were in a great measure caused by divided responsibility in respect to the administration of supply. I have already, in former correspondence, pointed out the cumbersome and consequently obstructive nature of the system at present in operation here, as being directly antagonistic to Imperial usage, and to remark that if such a system will not work in peace time how would it work in time of war?

With reference to transport, I am of opinion that the resources of the various districts would, if made available by legal enactment, be amply sufficient to organize speedily all that is required in this respect, more especially as the theatre of war must of necessity be contiguous to the base of operations.

The annual cost of this Force may be estimated at about £10 per head, and at first sight seem large, but when the very superior organization, system of training, and increased number of efficient as compared with the present system and cost—not forgetting Land Orders—is duly and impartially weighed, I think it will be apparent that the proposed Force is the more economical.

The expenditure connected with the Peace Establishment can no doubt be lessened by a reduction of the rank and file, but this I should not recommend unless considered absolutely necessary; that connected with the War Establishment can be regulated by rates of pay to be hereafter determined.

Having the efficient organization of the Military Forces of the Colony deeply at heart, I have not hesitated, for a very considerable period, to expose the weakness of the present system, and it now remains for me but to hope that due consideration may be given to the matter, more especially as the necessity for so doing is, I maintain, amply demonstrated by the very competent authorities I have purposely quoted. Indeed, a higher state of training is now more than ever necessary, as may be judged by the following extract selected from Major Homes' recent work:—"The present method of fighting demands not only greater individual exertion and intelligence but far higher and more complete instruction on the part of officers and men. The very system of fighting now, consequent on the introduction of breech-loaders, tends to produce disorder by the amalgamation of individual companies, &c., and therefore it is only by really well-drilled, well-commanded, bodies of men, which can turn apparent disorder into real order, and it consequently follows that the careful and intelligent training of troops is more than ever requisite." Again, "We train men in peace for what we wish them to do in war. When war comes we must be satisfied if they do what we have taught them. If the instruction is faulty, the country whose armies have been badly trained suffers. When war is declared, the time for preparation, the time for training, is past—the day of action has come. If the weapon is not well tempered, wants edge, is useless, the responsibility rests with those who have allowed it to become so."

I have to remark in conclusion that it appears to me unnecessary to enter into further matters of detail, as such can at any time be elaborated if my ideas as to the re-organization of the Volunteer Force be admitted as practicable and desirable.

JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

Sydney, New South Wales,
April 21st, 1875.

Artillery.

Establishment.	Lieut.-Colonel.	Major.	Captains.	Lieutenants.	Adjutant.	Quarter-master.	Brigade Sergt.-major.	Brigade Qr.-master Sergt.	Trumpet Major.	Battery Sergt.-majors.	Sergeants.	Corporals and Bombrs.	Trumpeters.	Gunners.	Total.	Remarks.
HEAD QUARTERS.																
Regimental Staff	1	2					1	1	1	1					8	The figures above line, the Peace Establishment—those below, the War Establishment. This establishment to include drivers, farriers, shoeing-smiths, &c., for Field Batteries and Batteries of position.
2 Field Batteries (12 guns)			2	6						2	8	12	4	16	32	
2 Batteries of position (8 guns)			2	4						2	8	12	4	16	32	
8 Garrison Batteries			8	16						8	32	48	16	64	128	
NORTHERN DISTRICT.																
1 Battery of position (4 guns)			1	2						1	4	6	2	8	16	Ditto.
SOUTHERN DISTRICT.																
1 Battery of position (4 guns)			1	2						1	4	6	2	8	16	Ditto.
Total	1	2	14	30	1	1	1	1	1	14	56	84	28	112	224	Ditto.

Engineers.

Establishment.	Captain.	Lieutenant.	Sub-Lieutenant.	Color-Sergeant.	Sergeants.	1st Corporals.	2nd Corporals.	Buglers.	Sappers.	Total.	Remarks.
HEAD QUARTERS.											
1 Company	1	1	1	1	5	5	5	2	79	100	

Mounted Rifles.

Establishment.	Captain.	Lieutenant.	Sub-Lieutenant.	Color-Sergeants.	Sergeants.	Corporals.	Buglers.	Privates.	Total.	Remarks.
HEAD QUARTERS.										
1 Subdivision	1	1		1	3	4	1	31	42	To include farriers, saddlers, and shoeing-smiths.
NORTHERN DISTRICT.										
1 Subdivision		1	1	1	3	4	1	31	42	ditto.
WESTERN DISTRICT.										
1 Subdivision		1	1	1	3	4	1	31	42	ditto.
SOUTHERN DISTRICT.										
1 Subdivision		1	1	1	3	4	1	31	42	ditto.
Grand Total	1	4	3	4	12	16	4	124	168	

Infantry.

Establishment.														Remarks.			
	Lieut.-Colonels.	Majors.	Captains.	Lieutenants.	Sub-Lieutenants.	Adjutants.	Quarter-masters.	Regtl. Sergeant-majors.	Regtl. Qr.-master Sergeants.	Bugle-majors.	Color-sergeants.	Sergeants.	Corporals.		Buglers.	Privates.	Total.
HEAD QUARTERS— 2 Regiments of 8 Cos. each	2	4	16	16	16	2	2	2	2	2	16	48	80	32	1344	1168	The figures above line the Peace Establishment,—those below line the War Establishment.
NORTHERN DISTRICT— 1 Regiment of 8 Cos.	1	2	8	8	8	1	1	1	1	1	8	24	40	16	464	400	Ditto.
WESTERN DISTRICT— 1 Regiment of 8 Cos.	1	2	8	8	8	1	1	1	1	1	8	24	40	16	464	400	Ditto.
SOUTHERN DISTRICT— 1 Regiment of 8 Cos.	1	2	8	8	8	1	1	1	1	1	8	24	40	16	464	400	Ditto.
Total	5	10	40	40	40	5	5	5	5	5	40	120	200	80	3360	2800	Ditto.

Recapitulation.

Corps.	Distribution.	Establishment.	
		Peace.	War.
HEAD QUARTERS.			
Artillery	Regimental Staff	8	8
	2 Field Batteries	200	240
	2 Batteries of Position	160	200
	8 Garrison Batteries	640	800
Engineers	1 Company	1,008	1,248
Mounted Rifles	1 Subdivision	100	100
Infantry	1 Subdivision	42	42
	2 Regiments	1,168	1,600
		2,318	2,990
WESTERN DISTRICT.			
Mounted Rifles	1 Subdivision	42	42
Infantry	1 Regiment	584	800
		626	842
NORTHERN DISTRICT.			
Artillery	1 Battery of Position	80	100
Mounted Rifles	1 Subdivision	42	42
Infantry	1 Regiment	584	800
		706	942
SOUTHERN DISTRICT.			
Artillery	1 Battery of Position	80	100
Mounted Rifles	1 Subdivision	42	42
Infantry	1 Regiment	584	800
		706	942
	Grand Total	4,356	5,716

Daily Pay Sheet.

No. of Persons.	Rank.	Rate of Pay.	Amount.
			£ s. d.
6	Lieutenant-Colonels	21/-	6 6 0
12	Majors	17/6	10 10 0
56	Captains	15/-	42 0 0
75	Lieutenants	12/6	40 17 6
44	Sub-Lieutenants	11/-	24 4 0
6	Adjutants	15/-	4 10 0
6	Quartermasters	15/-	4 10 0
1	Principal Medical Officer	21/-	1 1 0
7	Surgeons	17/6	6 2 6
6	Brigade and Regimental Sergeant-majors	10/-	3 0 0
6	Brigade and Regimental Quartermaster Sergeants	9/-	2 14 0
6	Trumpet and Bugle Majors	9/-	2 14 0
59	Battery, Sergeant-majors, and Colour Sergeants.....	8/6	25 1 6
193	Sergeants	7/6	72 7 6
5	1st Corporals	6/6	1 12 6
279	Corporals	6/-	83 14 0
114	Trumpeters and Buglers	5/-	28 10 0
3,483	Gunners, Sappers, and Privates	5/-	870 15 0
4,364	Total.....		£ 1,230 9 6

JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

Sydney : Thomas Richards, Government Printer.—1875.

[[9d.]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

VOLUNTEER FORCE.
(CORRESPONDENCE.)

Ordered by the Legislative Assembly to be printed, 26 January, 1876, A.M.

SCHEDULE.

**Further papers, &c., to complete Correspondence in
Cases of Major Shepherd, Captain Talbot, and
Captain Deane.**

MAJOR SHEPHERD'S CASE.

(Omitted in Correspondence concerning Appointments to the rank of Lieut.-Colonel, ordered by the Legislative Assembly to be printed, 22/12/75.)

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(Referred to in Commandant's letter of the 11th March, 1875, to His Excellency the Governor.)

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MAJOR SHEPHERD'S CASE.

No. 1.

The Principal Under Secretary to Lieut.-Colonel Richardson.

Sir,

Sydney, 19 October, 1872.

I AM directed to inform you that the Colonial Secretary has considered it desirable to invite Major Raymond, Major Goodlet, and Major Shepherd to see him on the 22nd or 24th instant, in reference to the Volunteer Forces of the Colony. From their long services as Volunteers, it is thought by Mr. Parkes that these gentlemen can afford him information which he is anxious to obtain.

I have, &c.,

HENRY HALLORAN.

No. 2.

72/664.

Lieut.-Colonel Richardson to The Colonial Secretary.

Sir,

Brigade Office, Sydney, 21 October, 1872.

I HAVE the honor to acknowledge your letter of the 19th instant, received this day, by which I am informed that Majors Raymond, Shepherd, and Goodlet, have been invited to attend upon you, with reference to information required on matters connected with the Volunteer Forces under my command.

Assuming that the correspondence which has already taken place on this subject between those officers and myself (forwarded to His Excellency the Governor on the 10th instant) has not yet been under your notice, I have to inform you that I strongly objected therein to the principle of subordinate officers, without my sanction or presence obtaining official interviews with the Ministerial Head of the Department on matters connected with my command, as by so doing my position and authority as Executive Head of the Force was virtually ignored and a precedent established contrary to the custom of the Service. I, therefore, under the circumstances of the case, feel it my duty respectfully to record a regret that an interview should be accorded to these officers without my presence, more especially, believing as I do that no one has the real efficiency and welfare of the Force more at heart than myself, or who, from intimate association for many years, is better calculated to advise as to its requirements.

I have, &c.,

JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

A.

Extracts from Correspondence respecting Captain Bamford's "Prince Alfred's Own" Battery. Ordered by the Legislative Assembly to be printed, 13 August, 1872.

No. 3.

J. B. Bamford, Esq., to Major Shepherd.

Sir,

Bromley Cottage, Cameron-street, St. Mark's, 26 June, 1871.

I HAVE the honor to submit to you, for your consideration and (I trust) approval and recommendation, a respectful request that the commissions and appointments of their officers and non-commissioned officers, elected, or to be elected, by the members of "Prince Alfred's Own" Battery, may be dated October 13th, 1870; because,—

- 1st. The *last offer of its services to the Honorable Colonial Secretary by this battery, and which resulted in the ultimate acceptance of them, was made on that date (*vide* printed correspondence, first return, page 3, letter 6), being fifteen days prior to the appointment of officers for the purpose of forming the new batteries, at present numbered 8 and 9. (*Vide Government Gazette* of 28th October, 1870.)
- 2nd. It would be unjust that the officers and non-commissioned officers of this battery, when elected, should lose their proper order of precedence simply because delay in the acceptance of the long standing offer of service of their battery permitted junior batteries to it to be formed under previously appointed officers, and then to elect others before this, the senior battery, had been placed in a position to elect its own.
- 3rd. The officers and non-commissioned officers of "Prince Alfred's Own" Battery would have had precedence of the officers and non-commissioned officers of its junior batteries, at present numbered 8 and 9, had not acceptance of that battery (although actually the senior—*vide* Regulations under the Volunteer Force Regulation Act of 1867, page 8, paragraph 11) been delayed by circumstances independent of it, and for which therefore it cannot be held responsible, or be justly expected to suffer detriment, either as a body or individually in any of its members.

4th.

* Original offer of service, 1868.

4th. If the commissions and appointments of officers and non-commissioned officers in "Prince Alfred's Own" Battery were to bear not earlier, but the same dates as those of corresponding rank in its junior batteries, now numbered 8 and 9, such officers and non-commissioned officers of "Prince Alfred's Own" would still be entitled to precedence over those of Nos. 8 and 9, on the ground of the seniority of their battery. (*Vide* Regulations under the Volunteer Force Regulation Act of 1867, page 8, head, "precedence," paragraph 13.)

2. Having thus detailed the grounds of my application, made in paragraph 1, I trust you will find them just and forcible enough to warrant your giving that application your recommendation and support in the proper quarter.

I have, &c.,

J. B. BAMFORD,

Representative of "Prince Alfred's Own" Battery, V.A.

Forwarded for the consideration of the Officer Commanding Volunteer Force.

Under all the circumstances, and taking into consideration the fact that clause 11 of the Volunteer Regulations distinctly provides for precedence according to original offer of service, I have no hesitation in recommending this application, as it appears to me quite clear that had this battery been accepted within a reasonable time after first offer of service, all officers, both commissioned and non-commissioned, would in all probability have been filled up before Batteries 8 and 9 were even formed. I am borne out in this opinion by the letters of two influential gentlemen, who appear to be well acquainted with the history of the battery from its commencement, copies of which I enclose.—P.L.C.S., Major, Com. V.A., 28/6/71.

Major Shepherd,—Prior to taking this application into consideration, I think, as Captains Wells and MacDonald are interested, they may be permitted to append their remarks. Major Shepherd will therefore be pleased to forward them this letter, with those of Messrs. Wearne and Davies, with instructions to return them with as little delay as possible.—J.S.R., Lieut.-Col., 29/6/71, B.C.

To be returned.

Forwarded for Captain Wells's perusal. He will be good enough to make such remarks as he may think necessary respecting Mr. Bamford's letter. To be then forwarded to Captain MacDonald.—CHAS. LEFF, Capt., Adj., V.A., B.C., 30/6/71.

Minute appended forwarded to Captain MacDonald.—F.W., Capt., No. 8 Bys, V.A.

I, of course, entertain the strongest objection to forego the precedence to which I am entitled by my commission. But as it appears to me the points raised in Mr. Bamford's application are involved in complications with which I am not conversant, I prefer to refrain from remark, confident that the decision of the proper authorities will maintain the several officers concerned in their proper order of precedence, according to military usage.—JOHN MACDONALD, Junr., Capt., No. 9 Bat., V.A., 6 July, 1871.

Returned.

It appears to me Captain Wells has somewhat travelled out of his way in commenting, as he has done, upon the letters written by Messrs. Wearne and Davies. I may mention that (although to a certain extent of a private nature) these letters were addressed to me in my official capacity, and I should have deemed it inconsistent with my duty to have allowed the Officer Commanding Volunteer Force to remain in ignorance of their existence.—P.L.C.S., Major, Comg. V.A., B.C., 7/7/71.

No. 4.

Mr. J. Wearne to Major Shepherd.

Anchor Flour Mills, Barker-street, foot of Bathurst-street,
Sydney, 28 June, 1871.

Dear Sir,

AS Mr. Bamford applied for his battery previous to the other batteries being formed, and he says it makes a difference in priority, having been so far successful, can his wishes be complied with? If it is a matter of right—and, so far as I can see, I fancy it is—I am sure you will not blame me for requesting you to grant him this request; and oblige—

Yours sincerely,

JOSEPH WEARNE.

No. 5.

Mr. J. Davies to Major Shepherd.

Dear Sir,

I HAVE very great pleasure in recommending Mr. Bamford, of the "Prince Alfred's Own" Battery, V.A., and I trust you will be enabled to carry out his wishes with reference to the commissioned and non-commissioned officers. He deserves very great credit for the manner in which he has worked for the formation of the battery. Trusting you will be enabled to comply with his wishes, I remain,

Yours truly,

JOHN DAVIES.

No. 6.

Captain Wells to Lieut.-Colonel Richardson.

Department of Public Works,
Office of Commissioner and Engineer for Roads,
Sydney, 3 July, 1871.

In acknowledging the courtesy of the Officer Commanding Volunteer Force, in forwarding Mr. Bamford's application and appendices for my perusal and remarks, I cannot refrain from expressing surprise at the ground taken by Mr. Bamford as the basis of his extraordinary request. It is unnecessary to answer seriatim his paragraphs, based on one original misconception.

I admitted cheerfully, as did the whole of my battery, the claim to precedence as a corps of "Prince Alfred's Own," their services having eventually been accepted; but on the same broad and distinct ground I object to any preference being shown to their officers "*in posse*," the Regulations distinctly stating that "the relative precedence of officers is to be determined solely by the rank and date of their commissions in the Force"; and I venture respectfully to submit that such retrospective Gazette, as proposed, more particularly with regard to those who can only be considered as recruits in the Force, would be a most prejudicial and dangerous precedent.

On these grounds I consider my own position as regards seniority impregnable, as also Captain MacDonald's, the Gazette having been published and commissions issued.

I however contend, further, that manifest injustice will be done to those officers of the new batteries who, having worked themselves up thoroughly in drill and artillery exercise, have been elected, have passed, or are ready to pass, the stipulated examination, and now only await their Gazette, which I trust will be speedily accorded them. I would also draw your attention to the injustice that would be entailed upon several officers of the old batteries, Captains Beverley, H. Deane, and several others, whose commissions are more recent than my own.

Had not the Officer Commanding Volunteer Force specially mentioned the letters of Messrs. Wearne and Davies in his minute, I should not have noticed them, as I fail to see how their private recommendations to Major Shepherd should have any bearings on the question at issue; and submit respectfully that the introduction of anything like extraneous influence (social or political) into matters connected with the internal economy of the Force would be entirely subversive of military discipline. In any other case I should attach great weight to recommendations from Messrs. Wearne and Davies; in the present I think it would be wrong to entertain them.

FRED. WELLS, Captain,
Commdg. No. 8 Bat., V.A.

No. 7.

HIS EXCELLENCY THE GOVERNOR TO LIEUT.-COLONEL RICHARDSON.

Sir,
Government House, Sydney, 19 January, 1872.
REFERRING to my letter of yesterday, in reply to yours of 19th December, 1871, in which you forwarded certain correspondence from Captain Bamford, of the "Prince Alfred's Own," Volunteer Artillery, I think there are some points in connection with that correspondence which it would not be proper for me to pass by unnoticed.

I have to express my regret at the tone and style of some passages in Captain Bamford's letter, which I consider to be of an insubordinate character. Major Shepherd, moreover, so far from remonstrating with Captain Bamford, and suggesting to him the propriety of couching his letters in terms more consistent with military discipline, not only forwards them (as it appears) without remonstrance, but in his letter of the 4th December formally expresses dissatisfaction with the decision of his own superior officer.

I have no doubt that both these officers have acted in ignorance of their duty; but not the less I cannot allow the matter to pass unnoticed. I have had on a former occasion to remark on Major Shepherd's ideas of what is consistent with military discipline, and I must now regret that he has obliged me to express dissatisfaction with his conduct with regard to a matter of discipline, resting not with himself, nor even in the last resort with the Commandant, but with the Commander-in-Chief.

In conclusion, I must further state my opinion that it is highly objectionable that Messrs. Wearne and Davies' letters to Major Shepherd should have been introduced into this official correspondence.

I have, &c.,
BELMORE,
Governor and Commander-in-Chief.

B.

EXTRACTS from Correspondence respecting Captain Bamford's case—ordered by the Legislative Assembly to be printed, 14 January, 1874.

No. 8.

HIS EXCELLENCY THE GOVERNOR TO LIEUT.-COLONEL RICHARDSON.

Sir,
Government House, Sydney, 21 November, 1873.
I HAVE to acknowledge the receipt of your letter of the 12th instant, forwarding Captain Lett's reply to the charges advanced again him by Mr. Bamford, late a Captain in the Volunteer Artillery Brigade, in a letter dated the 10th August last.

I am of opinion that Captain Lett has satisfactorily refuted the imputation of malevolently exercising the authority of his office with a view to Captain Bamford's injury in a case which was under official investigation;

investigation; and Mr. Bamford being now no longer in the Service, any further proceedings in this matter appear to me to be unnecessary.

But I cannot pass over in silence Major Shepherd's letter to you of the 29th August last, and which is attached to the papers in this case, which you have forwarded for my perusal. The tenor of the letter in question is so insubordinate and improper that I trust Major Shepherd will see the propriety of at once withdrawing it when he is informed of the view which I take of his communication.

I have, &c.,
HERCULES ROBINSON.

No. 9.

MINUTE OF HIS EXCELLENCY THE GOVERNOR.

Minute for the Executive Council.—The case of Capt. Bamford and Gunner Lockyer.

THE facts of this case, divested of all irrelevant matter, appear to be simply as follows:—

On the 23rd January, 1873, Colonel Richardson issued a Brigade Order, calling on the Officers Commanding Volunteer Corps to furnish, with as little delay as possible, returns showing the names of the officers, non-commissioned officers, and men of each Corps who were willing to attend the Camp of Instruction proposed to be formed in the following Easter Holidays, from the 10th to 14th April.

On the 3rd February, Capt. Bamford, Commanding No. 8 Battery, V.A., issued a Battery Order calling on members of the Battery who intended going into Camp to give in their names to the Battery Sergeant-major on or before the 12th February.

It appears that Gunner Lockyer sent in his name through Gunner M'Kellar; but the evidence is conflicting as to whether his name was given in on or after the 12th February. His name at all events was rejected, and the evidence is again conflicting as to whether this was in consequence of his not having given in his name personally on the 12th, or whether it was in consequence of his name not having been given in by M'Kellar until after that date.

Shortly afterwards, Gunner Lockyer wrote to Captain Bamford asking that his name might be forwarded, but Capt. Bamford refused to receive it, stating that Gunner Lockyer's only resource was to apply to the Commandant.

On the 12th March, after Major Wilson's parade on that day, Gunner Lockyer, as an act of courtesy, informed Capt. Bamford that he intended to appeal to the Commandant; Capt. Bamford replied that if he did so he would be attempting to overrule his authority.

On the 13th March Gunner Lockyer wrote to the Commandant, asking that his name might be added to the list of those who intended to attend the Encampment, sending his letter through Capt. Bamford, who endorsed on it a minute dated 14th March, giving as his reason for having refused to forward Lockyer's name that it had not been given in by the date fixed in the Battery Order. Capt. Bamford noted also on Lockyer's letter that he had been for some time an habitual absentee from drill.

On the 22nd March, after the Commandant's parade on that day, Capt. Bamford gave a general invitation to the whole Battery to attend the Camp, irrespective of the point as to whether their names had or had not been sent in in time. He made however an exception in the case of Lockyer, who was told that having applied to the Commandant he must await that officer's decision on the subject.

On the 22nd March, Mr. Lockyer's letter of the 13th to the Commandant, with Capt. Bamford's endorsement on it of the 14th, was returned to Capt. Bamford by Capt. Lett, the Adjutant of the Volunteer Artillery, with the following minute endorsed on it:—

The Commandant thinks that as many men as possible should attend the Encampment. It was necessary that an approximate idea of the number who would be likely to attend should be given; hence the Brigade Order requesting names to be forwarded by a certain date, but it was never intended to prevent any person from attending simply because his name was not submitted in time. It is the duty of Officers Commanding Batteries to endeavour to secure as large a muster as possible at the Encampment.—By order, C. LETT, Capt., Adjt., V.A., 22/3/73.

Notwithstanding this expression of the Commandant's opinion, endorsed on Gunner Lockyer's letter, Captain Bamford, on the 26th March, issued the following memo:—

Memo. 26/3/73.—Gunner N. Lockyer is informed that the permission granted to members of the Battery generally to join the Encampment does not apply to him. As he has applied to the Commandant on the subject he must await that officer's reply, by which he must be guided.—J. B. BAMFORD, Capt. Comg. No. 8 Battery V.A.

On the following day (the 27th March) Captain Bamford returned Mr. Lockyer's letter, with its endorsements, to Captain Lett, requesting that it might be laid before the Commandant, assuming that this had not been done, and that Captain Lett's minute of the 22nd was unauthorized.

A week was then lost, during which the letter was being passed backwards and forwards between Captain Bamford, Majors Wilson and Shepherd, and Captain Lett, until, on the 2nd April, the authenticity of Captain Lett's minute of 22nd March was established beyond dispute by Colonel Richardson endorsing on the letter in his own handwriting:—

The memo. in question was written by Captain Lett after he had ascertained my views on the subject.—J.S.R., Lt.-Col., 2/4/73.

Captain Bamford then put forward a new objection, that the Commandant's views, embodied in Captain Lett's minute of the 22nd March, and endorsed upon Gunner Lockyer's letter, did not decide Gunner Lockyer's case, and on this plea he again on the 4th March returned Gunner Lockyer's letter with its various endorsements to the Commandant, with the following minute written on it:—

In this particular instance of Gunner Lockyer, will the Commandant please to inform me whether he will support my authority and the authority of my Battery Order, or whether that individual's wishes are to supersede them—this being the point at issue between him and myself. I had already done my best to ensure a large attendance of No. 8 previous to Captain Lett's memo., and I expect it will be well represented.—J.B.B., Captain No. 8, 4/4/73.

On

On the 8th April the letter was returned to Captain Bamford by Colonel Richardson, with the following minute attached to it:—

Requested copy of the Battery Order referred to. I shall hold Captain Bamford responsible for any action of his which precludes any Volunteer under his command attending the Encampment.—J.S.R., Lt.-Col., 8/4/73.

This minute appears to have reached Captain Bamford on the 10th April, the day his Battery left Sydney for the Camp, and was replied to by him the same day, forwarding a copy of the Battery Order of the 3rd February, called for, and observing that "Gunner Lockyer was far from deserving that an exception should be made in his favour."

In the meanwhile it appears from Gunner Lockyer's evidence that understanding from the last paragraph of Captain Bamford's memo. of 26th March that he was to apply to the Commandant for a reply to his appeal of the 13th March, he waited on that officer, and on showing him Captain Bamford's memo. of the 26th March the Commandant gave him verbal authority to attend the Camp. Of this Gunner Lockyer informed Captain Bamford, at a meeting of the Battery, at Dawes' Point, on the 9th April, and asked for his decision whether he should go or not. Captain Bamford replied that he would not say yes or no; what Gunner Lockyer did would be on his own responsibility; at the same time Captain Bamford threatened that he would appeal to Parliament if Colonel Richardson interfered.

On the following day (the 10th April) the Battery left for the Camp. On that day, as has been shown, Captain Bamford was not only aware of the verbal authority given by the Commandant to Gunner Lockyer to attend the Camp, but he was also in possession of Captain Lett's minute of the 22nd March on Mr. Lockyer's letter, and of the subsequent minutes of the Commandant on the same subject, dated 2nd and 8th April. Notwithstanding all these clear indications of the views of the Commandant, Captain Bamford not only did withdraw his memo. to Gunner Lockyer of the 26th March, but instructed Sergeant Williams on leaving that he was to place Gunner Lockyer under arrest for disobedience of orders if he attended the Camp. Gunner Lockyer accompanied the Battery to the Camp on the 10th, and on the 11th was arrested by Sergeant Williams under Captain Bamford's orders. On reference to the Commandant, however, he was at once released and allowed to return to duty.

On the 14th or 15th the Battery returned to Sydney, and on the latter day, without any inquiry whatever, Captain Bamford, who does not appear himself to have attended the Camp, issued a Battery Order, striking Gunner Lockyer's name off the roll of the Battery for "wilful and premeditated disobedience of his lawful command."

The foregoing is, I believe, an accurate narrative of the transactions in connection with this case in the order in which they occurred, and on an impartial review of them it appears to me impossible to arrive at any other conclusion than one unfavourable to Captain Bamford.

In the first place it was ill-judged of him to take a stand with such persistence upon the 12th February, as a date beyond which no names would be received. The object of calling for returns might have been perceived, namely, to ascertain, in sufficient time to make the necessary preparations, the number likely to attend the Encampment. It appears to me immaterial whether Gunner Lockyer's name was refused because he did not give it in personally on the 12th, or because it was not given in until some days later by M'Kellar. He, at all events, intimated his desire to attend, by letter to Captain Bamford soon afterwards; and as the Encampment was not to take place for nearly two months Captain Bamford might well have added his name to the return, if it had not been sent in to head quarters, or if it had already gone forward he might have sent the name in on a supplementary list. In refusing to do so he acted unwisely, for he was making a stand upon a point which was objectless and untenable, as he himself subsequently proved by the general invitation which he gave to the Battery five weeks later, on the 22nd March.

In the next place, Captain Bamford acted unreasonably in informing Lockyer, as he did on the 12th March, that he would view an appeal to the Commandant as an attempt to over-rule his authority, seeing that he had himself suggested that course to Gunner Lockyer as his only resource when refusing to receive his name. This appeal, nevertheless, appears to have been Lockyer's real offence, and not non-attendance at drill, or any other shortcoming; and it alone appears to have influenced Captain Bamford through all the subsequent proceedings. Indeed this is admitted by Captain Bamford in his evidence before the first Court of Inquiry, when he said—"If Lockyer had not referred to the Colonel he would have been glad to see him at the Camp."

Again, the special exclusion of Gunner Lockyer from the general invitation to attend the Camp, given to the whole Battery after parade on the 22nd March, on the ground that he had applied to the Commandant, was ill-judged and unjust. Gunner Lockyer had appealed because Captain Bamford had refused him in the middle of February, a permission which, five weeks later, Captain Bamford was prepared to grant to all others similarly circumstanced. The general invitation was an admission that the previous individual refusal was unreasonable, and to seek to punish Lockyer for appealing against an admittedly wrong decision was neither wise nor just. It is probable that Captain Bamford thought that Lockyer, who appears to have been an inefficient Volunteer, had no real desire to attend the Camp, but was merely following up the matter with a view of fighting the point with his Commanding Officer. Still the grounds for the original refusal were admittedly insufficient, and it was therefore certain to be overruled on appeal to higher authority. The wise and dignified course therefore for Captain Bamford to have pursued would have been to have made no exception to the general invitation given to the Battery on the 22nd March, and thus, without special allusion to Gunner Lockyer's name, that person's complaint would have been disposed of by the decision of the Commanding Officer himself on the general question, without waiting for the result of the appeal to higher authority in the individual case. Instead, however, of availing himself of such an opening for getting out of the difficulty without discredit to his authority, Captain Bamford made it almost a personal question between Gunner Lockyer and himself, whether the former should or should not be allowed to attend the Camp, thus placing himself before the whole Battery in a false position, from which it was subsequently impossible to escape without loss of dignity to himself, except by the continued capricious exercise of authority towards a subordinate.

This mistake was soon followed by others of a more serious character. The receipt of Captain Lett's minute of 22nd March could have left little real doubt in Captain Bamford's mind as to the view taken by superior authority of the insufficiency of the grounds advanced by him for refusing to allow Lockyer to attend the Camp; and it must have shown him further that such refusal was in contravention of the policy of the Government.

Government. Nevertheless, Captain Bamford proceeded on the 26th to repeat in a written memo. the prohibition to attend the Camp which he had previously communicated verbally to Lockyer on the 22nd; and on the following day (the 27th) he returned Mr. Lockyer's letter to Captain Lett, requesting that it might be placed before the Commandant for his decision, assuming that the minute upon the letter had not been authorized by the Commandant. I can see no reasonable grounds for such an assumption. The minute began, "The Commandant thinks," and was signed by order. When however this objection was disposed of by Colonel Richardson's memo. of the 2nd April, Captain Bamford then raised another,—that Gunner-Lockyer's particular case was not disposed of by Captain Lett's minute. Now, considering that the matter referred to the Commandant was embodied in a letter addressed to him by Mr. Lockyer—that Captain Bamford had, in forwarding that letter, endorsed on it as the reason for refusing to forward Lockyer's name, that it had not been received in time—and that the Commandant had returned Lockyer's letter with the expression of his opinion endorsed on it "that it was never intended to prevent any person from attending simply because his name was not submitted in time"—it appears to me that the plea that the reply of the Commandant did not decide Lockyer's case is simply absurd. In short, I can only conclude that Captain Bamford's endorsement on Mr. Lockyer's letter, subsequent to Captain Lett's minute of the 22nd March, were mere pretexts for delay, so as to enable him to postpone withdrawing his prohibition to Mr. Lockyer to attend the Camp until the Battery had left, and thus either prevent his attending or be able to dismiss him for disobedience in the event of his being present.

It appears to me that Captain Bamford was guilty of grave impropriety in issuing his written prohibition to Gunner Lockyer, on the 26th March, after the receipt of Captain Lett's memo. of the 22nd; and whatever uncertainty he may possibly have felt at the time as to the authenticity of that memo. he can have had no doubt whatever on the 10th April, when the Battery left for the Camp, as to the opinion entertained by the Commandant as to his treatment of Gunner Lockyer. With the Commandant's minutes of the 2nd and 8th April before him, and the communication made to him by Gunner Lockyer on the 9th, he must have known on the 10th April, beyond all doubt, that it was the Commandant's opinion that Gunner Lockyer should be allowed to attend the Camp. Nevertheless, he allowed the Battery to leave without withdrawing his prohibition of the 26th March, and further instructed Sergeant Williams to arrest Lockyer, if he appeared at the Camp, for disobedience of orders. Throughout these proceedings Captain Bamford appears to me to have acted capriciously and vindictively towards his subordinate, and in opposition to the clearly expressed opinions of his superior officer, of which he was thoroughly cognizant. The subsequent summary dismissal of Gunner Lockyer, without any inquiry, and without affording him any opportunity for defence, was a further flagrant abuse, by Captain Bamford, of the authority vested in him as Commanding Officer.

The second charge against Captain Bamford—of using threatening language towards Colonel Richardson, his superior officer—appears to have been fully established. From a military point of view it is doubtless a proceeding of a very unsoldierlike and insubordinate character for an officer to threaten, in the presence of a subordinate, to take ulterior proceedings against his superior officer, if he should think it necessary to differ with him in opinion; but Volunteers have here so often been allowed, without reproof, and with perfect impunity, to seek a remedy for adverse military decisions in Parliamentary interference, that it is scarcely to be wondered at that Captain Bamford should have announced his intention of adopting a similar course. What is more surprising is that Captain Bamford should have failed to perceive the inconsistency of his conduct. He was censuring his own subordinate for not silently acquiescing in an admittedly unreasonable decision of his Commanding Officer, and at the same time announcing his own determination to appeal to Parliament against his own immediate superior, if that officer should fail to support him in the untenable position which he had taken up.

Upon a review of Captain Bamford's conduct from first to last in this case, it appears to me that he has shown a want of judgment and justice in dealing with his subordinate, and an absence of loyal submission to superior authority, which together prove him to be unfit to be entrusted with the command of a Battery, and I am of opinion that his services in that capacity should be dispensed with.

HERCULES ROBINSON.

25th August, 1873.

No. 10.

Minute of the Executive Council.

(Min. 73-111.)

1 September, 1873.

His Excellency the Governor lays before the Council a Minute Paper which he has prepared on the case of Captain Bamford and Gunner Lockyer, of No. 8 Battery, Volunteer Artillery, setting forth the history of the case, and the conclusions arrived at by His Excellency.

2. The Council having carefully considered the Minute Paper referred to, concur in the views expressed by His Excellency, and advise that Captain Bamford's services as Commanding Officer of No. 8 Battery of Volunteer Artillery be dispensed with.

ALEX. C. BUDGE,
Clerk of the Council.

Approved.—H.R., 4/9/73.

C.

Has reference to Correspondence respecting complaint made by Mr. W. Deane, Captain No. 2 Battery—ordered by the Legislative Assembly to be printed 8th June, 1871.

D.

13

D.

EXTRACTS from Report of Select Committee on the Goulburn Volunteer Corps—
ordered by the Legislative Assembly to be printed, 22nd April, 1873.

No. 11.

486. Did you advise the Governor in the matter? I advised that there should be a Court of Inquiry,—that being the constitutional mode of proceeding in this matter in the first instance.

493. Can you give any reasons why a special Commission should not be appointed? Will you allow me to take a moment or two to think over the question, which is rather a difficult one. I think the reason I recommended a Court of Inquiry to be held in the first instance was this,—that I thought in all instances where it is a question of discipline, the constitutional means pointed out by the Act should be exhausted before any other means be adopted, and it was upon this ground that I recommended there should be a Court of Inquiry; and after that, it would be proper to make the matter a subject of special investigation.

530. *Mr. Baker.*] Can you tell us by whose advice it was that a Court of Inquiry was held, instead of the Commission which the memorialists applied for? I presume it was by my advice.

531. You said, I think, that you conceive it to be a preliminary step to be taken before a Commission is granted? I think, for the sake of discipline, all constitutional means should be adopted, by inquiry or otherwise, before any course not contemplated by the Volunteer Act should be entered into. This would not preclude any further inquiry, but I think the constitutional means should first be adopted.

E.

No. 12.

Major Shepherd to Lieut.-Colonel Richardson.

Dear Col. Richardson,

Darling Nursery,
Sydney, 9 September, 1872.

IN reply to yours of 5th instant, which I have but this moment received, I have already placed the matter in the hands of one of the Members of the Assembly.

In concluding this correspondence I refer you to my official memo. of 24/8/72, in which I pointed out a method by which you might have ascertained (had you so pleased) the correctness of my statement.

Yours very truly,
P. L. C. SHEPHERD.

CAPTAIN TALBOT'S CASE.

No. 13.

LIEUT.-COLONEL RICHARDSON TO HIS EXCELLENCY THE GOVERNOR.

Your Excellency,

Brigade Office, Sydney, 5 November, 1874.

I HAVE the honor to forward herewith a Petition from Lieutenant Talbot, of the Volunteer Artillery Brigade, and to request that you will be pleased to keep the consideration of the matters therein alluded to in abeyance until I am enabled to examine the voluminous documents connected with the case, when I will address your Excellency on the subject.

The press of urgent business, caused by the Rifle Association Matches, renders it almost impossible for me to do so during the present week.

I have, &c.,

J. S. RICHARDSON, Lt.-Col.,
Commandant.

[Enclosure in No. 13.]

Original to Governor, 5/11/74.

To His Excellency SIR HERCULES GEORGE ROBERT ROBINSON, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of New South Wales and its Dependencies, and Vice-Admiral of the same.

The Petition of the undersigned Paul Talbot, Lieutenant, commanding No. 2 or "New South Wales" Battery Volunteer Artillery,—

RESPECTFULLY SHOWETH:—

1. That your Petitioner was peremptorily ordered up by the Commandant, in October, 1873, to be examined as to his fitness for promotion to the rank of Captain, with the expressed intention on the part of the Commandant of immediately appointing him to the vacancy in that rank, which occurred in September, 1871, in No. 2 Battery.

2. That your Petitioner did accordingly present himself for examination for the rank of Captain, which examination he passed creditably.

3. That the Commandant, on the 25th October, 1873, declared it to be his opinion that were he to sanction any further delay he would be acting unjustly towards the "Battery," and in May, 1874, expressed his further opinion in the following terms:—"Being of opinion that Lieut. Talbot has cause of complaint, and that the interest of No. 2 Battery has been injuriously affected by the extreme delay in filling up the vacancy of Captain, which occurred in September, 1871, I consider it my duty to bring the matter under the notice of His Excellency the Governor, with the view to filling up the vacancy, &c."

4. That your Petitioner earnestly and repeatedly requested the Commandant would be pleased to act as he had expressed it to be his duty and intention to do, with the view to your Petitioner being promoted to a Captaincy.

5. That the Commandant at length declined to do so, on the ground of "his views as to the expediency of Lieut. Talbot's promotion having been materially altered."

6. That the cause stated by the Commandant for this change in his views was, that your Petitioner had ventured to contradict an assertion of his.

7. That your Petitioner begs humbly to assure your Excellency that the assertion of the Commandant which your Petitioner contradicted was an erroneous one.

8. That your Petitioner has, under the circumstances hereinbefore stated, been denied the opportunity of standing as a candidate for the Majority lately vacant by the resignation of Major Clarke, or even of voting on the occasion.

9. That your Petitioner is therefore punished for having corrected the Commandant's error, by his having his due promotion, with all its privileges, withheld, with the almost certainty of junior officers being placed over his head, to the prejudice of your Petitioner's proper position in the Volunteer Force, notwithstanding the Commandant's expressed opinion that his duty and the interest of No. 2 Battery called upon him to promote your Petitioner without delay.

Your Petitioner therefore most respectfully begs that your Excellency will be pleased to accord to the premises your Excellency's favourable consideration, with a view to your Petitioner being promoted to the rank of Captain; the recent election of Major, annulled; and a new election directed to take place, at which your Petitioner may, as Captain, be privileged to participate.

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

P. TALBOT.

No. 14.

74/620

LIEUT.-COLONEL RICHARDSON TO HIS EXCELLENCY THE GOVERNOR.

Your Excellency,

Brigade Office, Sydney, 17 November, 1874.

IN accordance with my letter, 74/601, of the 5th instant, accompanying the Petition of Lieutenant Talbot, No. 2 Battery, Volunteer Artillery Brigade, I have the honor to forward for your Excellency's information, copies of correspondence having reference to that officer's application for promotion to the rank of Captain, as also his protest against the election of Captain Wells, of the Volunteer Artillery Brigade, to the rank of Major, by the Captains of that Force.

Your

Your Excellency will perceive that Lieut. Talbot in the first place did not press for promotion, because he considered himself aggrieved in having been passed over when the Captains commanding Nos. 9 and 10 Batteries were appointed, and secondly, in consequence of Mr. Deane, late Captain No. 2 Battery, having applied to be reinstated in his former command, after which the only bar to the promotion in question appears to have been the withholding of Major Shepherd of his recommendation for Lieut. Talbot to fill the vacancy in No. 2 Battery.

I may here observe, with reference to Lieutenant Talbot's first objection, that Captains Wells and MacDonald were selected by Major Shepherd and myself as the most eligible persons for the command of Nos. 9 and 10 Batteries,—a course of action, in my opinion, the most desirable, as tending to secure the services of good officers for responsible positions, and to be justified by the fact that the Volunteer Artillery Brigade is an administrative regiment, and therefore Lieutenant Talbot has no legal claim to be promoted to any other battery than his own (in which a vacancy did not then exist) unless under the recommendation of his superiors.

With reference to paragraph 5 of Petition, and in allusion to paragraph 4 of my memo. 21/7/74, I have to explain that it was my intention in the first instance to have brought to your Excellency's notice the apparently harsh treatment Lieutenant Talbot experienced from his immediate commanding officer, but subsequent events, as illustrated in accompanying correspondence, and at a personal interview, inspired me with grave doubts as to Lieutenant Talbot's possession of that subordination, tact, and discretion, so necessary in one holding a responsible command, which, together with his neglect to peruse the correspondence before submission to your Excellency (alluded to in my memo. 11/7/74), and as desired by Major Shepherd, induced me to decline to continue at that time, and in the absence of the recommendation of Major Shepherd, any further action in the matter, rather leaving it for Lieutenant Talbot to avail himself of the right of specific appeal, which he has now done.

The correspondence both before and after Lieutenant Talbot's examination will, I think, conclusively show, up to a late period, my desire for the promotion of that officer, as also the real cause of obstruction, viz., the withholding by Major Shepherd of his recommendation, as specified in memo. 30/1/74; and such cause having been conveyed to Lieutenant Talbot, both verbally and by letter, forces me to regard Lieutenant Talbot's conduct in desiring to fix upon me the entire onus of obstructing his promotion as open to most serious exception.

In conclusion, I feel it my duty to draw your Excellency's attention to the difficulty thrown in the way by the Officer Commanding Volunteer Artillery Brigade of filling up an appointment rendered vacant by the decision of His Excellency the late Governor and Executive Council, such obstruction in my opinion virtually questioning the propriety of such decision, as also being to the prejudice of the interests and discipline of the Service.

I have, &c.,

JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

No. 15.

MINUTE OF HIS EXCELLENCY THE GOVERNOR.

[This minute must be with the original papers in Colonial Secretary's Office.—J.S.R.]

No. 16.

LIEUT.-COLONEL RICHARDSON TO HIS EXCELLENCY THE GOVERNOR.

Your Excellency,

Brigade Office, Sydney, 27 November, 1874.

I HAVE the honor to acknowledge your Minute 21/11/74 on enclosed correspondence, and in compliance thereto have to observe, with reference to the doubts expressed by me in July last as to the fitness of Lieutenant Talbot for promotion, that I am of opinion that officer was not solely to blame for the improper attitude displayed towards myself, and I feel assured that had his immediate Commanding Officer (Major Shepherd) promptly discouraged such behaviour at the outset, as he was in duty bound to do, I should have had no reason to take the exception I did. Taking into consideration these circumstances, together with the delay which has already taken place, I am disinclined to oppose the promotion of this officer to the Captaincy of No. 2 Battery Volunteer Artillery Brigade.

I have, &c.,

JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

No. 17.

75/10.

LIEUT.-COLONEL RICHARDSON to HIS EXCELLENCY THE GOVERNOR.

Your Excellency,

Brigade Office, Sydney, 11 January, 1875.

I HAVE the honor to submit a Petition from Captain Talbot, Commanding No. 2 Battery Volunteer Artillery Brigade; and, in order to enable your Excellency to deal with the same, have to draw attention to former Petition from that officer, forwarded under cover of my letter 5/11/74, No. 74-601, together with correspondence accompanying letter 17/11/74, No. 74-620, and subsequent letter 27-11/74 No. 74-654.

I have, &c.,

JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

Colonel Richardson,—I decline to ante-date Captain Talbot's commission, or to annul the recent election of Major.—H.R., 6/2/75.

[Enclosure in No. 17.]

To His Excellency SIR HERCULES GEORGE ROBERT ROBINSON, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of New South Wales and its Dependencies, and Vice-Admiral of the same.

The Petition of the undersigned, Paul Talbot, Captain Commanding No. 2 or "New South Wales" Battery of Volunteer Artillery,—

RESPECTFULLY SHOWETH:—

1. That your Petitioner passed his examination for the rank of Captain in December, 1873.
2. That your Petitioner was denied recommendation for promotion to that rank by the Commandant on private and personal grounds of pique, and contrary to his express admission of the calls of public duty upon him to recommend your Petitioner.
3. That your Excellency was pleased to grant your Petitioner promotion to the rank of Captain, as soon as the circumstances of your Petitioner's case were made known to your Excellency.
4. That, owing to the delay, several officers of junior rank to your Petitioner, some of whom passed examination subsequent to your Petitioner, and certain of them no examination at all, have been promoted over your Petitioner's head, to the prejudice of his proper position in the Volunteer Force.
5. That your Petitioner was by the same cause precluded from becoming a candidate, or even voting at the recent election of Major in the Volunteer Artillery, whereby your Petitioner was deprived of a chance of promotion to that grade.

Your Petitioner therefore humbly prays that your Excellency would be pleased to cause your Petitioner's commission as Captain to be ante-dated, so as to place your Petitioner in his rightful position as senior officer to those promoted to the same rank since your Petitioner passed his examination as Captain. Also, that your Excellency would be graciously pleased to annul the recent election of Major in the Volunteer Artillery, and direct that another election take place, in order to give your Petitioner the chance of promotion to the rank of Field Officer, of which your Petitioner would appear to have been improperly deprived by personal feeling entertained by the Commandant operating against your Petitioner.

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

Forwarded.—P.L.C.S., Major, Com. V.A., 8/1/75.

PAUL TALBOT.

No. 18.

Brigade Major to Major Shepherd.

Sir,

Brigade Office, Sydney, 8 February, 1875.

I AM directed by the Commandant to inform you, with reference to a petition lately submitted to His Excellency the Governor by Capt. Talbot of the Volunteer Artillery Brigade, that His Excellency declines to ante-date Capt. Talbot's commission, or to annul the recent elect of Major in the Volunteer Artillery Brigade.

I am further to request you will have the goodness to communicate this decision to Capt. Talbot.

I have, &c.,

W. B. B. CHRISTIE, Capt.,
Major of Brigade.

CAPTAIN DEANE'S CASE.*

*[For previous Correspondence see Legislative Assembly Paper 659, page 519, vol. 2, of Session 1870-71.]

No. 19.

Captain Deane to Major Shepherd.

75, Elizabeth-street, Sydney,
18 July, 1871.

Sir,

I HAVE the honor to send enclosed a charge against Lieut.-Colonel Richardson, the Officer Commanding Volunteer Force, which I shall feel obliged if you will forward to His Excellency the Earl of Belmore through the proper channel at your earliest convenience.

I have, &c.,
WILLIAM DEANE.

[Enclosure in No. 19.]

Captain Deane to His Excellency the Governor.

75, Elizabeth-street,
Sydney, 18 July, 1871.

My Lord,

I HAVE the honor to forward herewith printed copy of correspondence lately published by authority of Parliament, respecting my complaint to Captain Hopkins, for the purpose of calling your attention to the unfair manner Lieut.-Colonel Richardson, the Officer Commanding the Volunteer Force, has dealt with the case throughout, *more particularly* in submitting it to your Excellency, and with the view of making the following charges against him:—

1. I claim the right to have been present at any investigation of the truth of my complaint, and charge Lieut.-Colonel Richardson with acting in an arbitrary and improper manner in not granting me such right for the purpose of proving such complaint.
2. I charge Lieut.-Colonel Richardson with acting unfairly in countenancing an irregular inquiry which has resulted in a reprimand affecting my character as a gentleman and a Volunteer officer, and with neglecting and refusing to order such reprimand to be withdrawn, when such reprimand, if just, should have disentitled me to hold my commission.
3. I charge Lieut.-Colonel Richardson with having stated that evidence had been taken in reference to my complaint, when either no such evidence has been taken, or it has been suppressed.
4. I claim the right, for the sake of proper discipline, that Captain Hopkins, as my subordinate, should be held responsible for his unwarrantable conduct in assuming the function of my superior, by presuming to reprimand me without the authority of the Officer Commanding Volunteer Force, and charge that officer with neglect of duty in having refused to have the conduct of Captain Hopkins investigated by Court of Inquiry for so acting.
5. I charge Lieut.-Colonel Richardson with endeavouring to influence your Excellency's opinion on the case, by forwarding a letter from himself commenting upon the correspondence, and to divert your Excellency's attention from the real issue, which I submit was,—Had Captain Hopkins a right to reprimand me, his senior officer, without authority?—upon which your Excellency has not expressed an opinion, but upon an immaterial issue of mere official routine, as to whether my complaint should have been addressed to Major Shepherd or to Captain Hopkins, a question improperly raised by such letter.
6. That Lieut.-Colonel Richardson has, in his letter unfairly expressed his opinion on the case, and directed particular attention to a portion of the correspondence favouring his view, without allowing me a like privilege; and has also improperly referred to rebutting evidence, instead of laying before your Excellency such rebutting evidence, together with the evidence it rebutted.
7. I charge Lieut.-Colonel Richardson with not allowing me to produce evidence, and with then stating to your Excellency that my charge was unsupported by evidence,—and in stating to your Excellency that Captain Hopkins had given rebutting evidence, when he was not in a position to do so, by reason of his being away at another place with another squad at the time complained of.
8. That Lieut.-Colonel Richardson should have pointed out to Captain Hopkins that it was his duty to have returned my letter, as not written to the proper person, instead of accepting it by acting upon it, and afterwards only complaining of its being wrongly addressed, as an excuse, I submit, to cover a serious breach of discipline on his own part.
9. That Lieut.-Colonel Richardson has not acted with equal justice in allowing Captain Hopkins to send to your Excellency with the correspondence a statement, without allowing me the opportunity of sending a counter statement.
10. That Lieut.-Colonel Richardson, greatly to my prejudice, permitted Captain Hopkins to state to your Excellency a matter of mere hearsay, that is, that *he had heard* I had discussed this matter with the non-commissioned officers and men of my battery, &c.: a statement I deny; but it would in no way have excused his prior breach of discipline, and was only intended to prejudice your Excellency's mind.

In conclusion, I beg to state I am prepared, and always have been, to prove the truth of my charge, and also that Captain Hopkins was not with one Instructor present on the night complained of between 7.30 and 8.30 p.m., as he was at this time with a squad at another place; but, I submit, the truth or otherwise of my complaint is not the question raised by the correspondence, but whether or not a subordinate officer has a right, without authority, to reprimand a senior, a question of discipline of vital consequence, and which it was Lieut.-Colonel Richardson's duty to have decided upon principles of military discipline in the first instance, and afterwards to have allowed me to prove my charge. And I assert he has not only thus neglected his duty, but has allowed a punishment to be inflicted and a stigma to be cast upon me without evidence by a subordinate officer, without my being heard in my defence, and without being charged with any offence. If I have committed any offence let me be charged with it, but I must deny the right of my subordinate officer or any other person to punish me first and find me guilty afterwards, without even a mere show of charge or trial. And I charge Lieut.-Colonel Richardson, the Officer Commanding Volunteer Force, with neglect of duty, in endeavouring to give effect to such a serious breach of military discipline, and charge that the act of that officer, in endeavouring to mislead your Excellency in this matter and pass over this breach of discipline on the part of Captain Hopkins, by sending his own and Captain Hopkins' letter without giving me an opportunity of answering them; as unfair, and subversive of all military discipline, and as conduct against which I am entitled to appeal for justice.

I now therefore claim your Excellency's attention to the real point at issue, that is, *whether Captain Hopkins, my subordinate officer, had a right to reprimand me without authority*, and to pray that your Excellency will cause the improper manner of dealing with this case by Lieut.-Colonel Richardson to be inquired into, and that I have the opportunity granted me of being present at such inquiry to substantiate my various charges.

I have, &c.,

WILLIAM DEANE,

Captain No. 2 or N.S.W. Battery.

Forwarded.—P.L.C.S., Major, Com. V.A.

No. 20.

LIEUT.-COLONEL RICHARDSON TO HIS EXCELLENCY THE GOVERNOR.

Brigade Office,

Sydney, 24 July, 1871.

My Lord,

I HAVE the honor to forward herewith a list of charges preferred against me by Captain William Deane, Commanding No. 2 Battery Volunteer Artillery, and with reference to the same to state that I am prepared to answer the whole or any portion thereof your Lordship may deem to require explanation.

I have, &c.,

JOHN S. RICHARDSON, Lt.-Col.,
Com. Vol. Force.

[Enclosures in No. 20.]

Letter from Captain Deane to Major Shepherd, 18/7/71.

Letter from Captain Deane to Governor, 18/7/71.

With copies of the whole of the correspondence respecting complaint made by Captain Deane to Captain Hopkins.

No. 21.

Memorandum of the Attorney General.

His Excellency having requested my opinion as to the answer which he ought to give to the charges made by Captain Deane against Lieutenant-Colonel Richardson, I have looked into and considered those charges and the previous correspondence, and the following is the conclusion at which I have arrived:—It seems to me that Captain Deane and Captain Hopkins, at the very outset of the misunderstanding, shared a culpable forgetfulness of the rules by which military men should be guided. Captain Deane ought not to have made a complaint of Captain Hopkins's supposed neglect of duty to Captain Hopkins himself, and Captain Hopkins ought not to have communicated in reference to such complaint directly with Captain Deane. These irregularities led to others, and the communications between these two gentlemen were made in terms and in a manner very much to be regretted. What Captain Deane considers as a reprimand was an answer made by Captain Hopkins to an accusation which he felt himself called upon to rebut. If Captain Hopkins had acted correctly, he would not have followed the example of Captain Deane by making that gentleman a direct communication, but should have made his report to Lieutenant-Colonel Richardson. In not taking that course he was wrong, and so far Captain Deane is entitled to complain, as he has done, that Captain Hopkins should have sent him the minute, which he calls (as I think, erroneously) a reprimand. Captain Deane is mistaken in supposing Captain Hopkins to be his subordinate officer, that gentleman being on the Staff of the Volunteer Force. Under all the circumstances I see no utility in carrying this investigation any further, and I would advise His Excellency to refuse his sanction to any investigation of the numerous charges now made.

J.M., A.G.—25 July, 1871.

No. 22.

No. 22.

HIS EXCELLENCY THE GOVERNOR to LIEUT.-COLONEL RICHARDSON.

Sir,

Government House,
Sydney, 26 July, 1871.

I HAVE the honor to acknowledge your letter of the 24th July, forwarding a list of charges preferred against you by Captain William Deane, Commanding No. 2 Battery Volunteer Artillery.

With regard to the charges, I have to observe that both Captain Deane and Captain Hopkins, at the outset of the misunderstanding which was under my notice in April last, showed a culpable forgetfulness of the rules by which officers in their position should have been governed.

Captain Deane ought not to have made an official complaint of Captain Hopkins' supposed neglect of duty to Captain Hopkins himself; and Captain Hopkins ought not to have communicated in reference to such complaint directly with Captain Deane. I am further of opinion that the communications between these two officers, irregular in themselves, were carried on in a tone very much to be regretted. What Captain Deane considers as a reprimand was an answer made by Captain Hopkins to an accusation which he felt himself called upon to rebut. If Captain Hopkins had acted correctly, he would not have followed the example of Captain Deane, by making that officer a direct communication, but would have reported the matter to yourself. In not taking that course he was wrong, and so far Captain Deane is entitled to complain, as he has done, that Captain Hopkins should have sent him the minute which he calls a reprimand.

Captain Deane is mistaken in supposing Captain Hopkins to be his subordinate officer. The latter, in his position as an officer on the Staff of the Volunteer Force, is subordinate only to you and myself as Commander-in-Chief.

Under all the circumstances, I see no necessity for carrying this investigation further, and you will accordingly inform Captain Deane, to whom you will communicate a copy of this letter, that I decline to sanction an inquiry into the several charges which he has brought against you.

I have, &c.,
BELMORE.

Copy to Major Shepherd, 27/7/71.

No. 23.

Lieut.-Colonel Richardson to Major Shepherd.

Sir,

Brigade Office, Sydney, 27 July, 1871.

IN accordance with instructions, I have the honor to enclose copy of a letter from His Excellency the Governor, having reference to the charges preferred by Captain W. Deane, No. 2 Battery, Volunteer Artillery Brigade, against myself, and to request you will forward the same for that officer's information.

I have, &c.,
JOHN S. RICHARDSON, Lt.-Col.,
Commanding Volunteer Force.

No. 24.

Captain Deane to Major Shepherd.

Sir,

75, Elizabeth-street,
29 July, 1871.

I HAVE the honor to acknowledge receipt of Lieut.-Colonel Richardson's letter to you, 71/614, dated 27th instant, enclosing copy of a letter from His Excellency Governor Belmore, of date the 26th instant, referring to a letter of 24th instant, from Lieut.-Colonel Richardson to His Excellency, forwarding my charges against him, and to request a copy of such letter of 24th instant.

I have, &c.,
WILLIAM DEANE.

As a matter of courtesy this request may be complied with.—J.S.R., Lt.-Col., 2/8/71.

Copy of the letter referred to herewith, in accordance with the Commandant's minute.—S. HOPKINS, Lieut. R.A., Capt. and Brigade Adj. V.A., 2/8/71, B.C.

No. 25.

Captain Deane to Major Shepherd.

Sir,

75 Elizabeth-street,
14 August, 1871.

I HAVE the honor, with reference to the Governor's letter to Lieutenant-Colonel Richardson of 26th ultimo, to make the following observations:—

1. I regret His Excellency has not seen fit to inform me of the reasons which have led him to decline to sanction an inquiry into the several very serious charges I have made, instead of merely repeating and enlarging upon his decision in another case, and only referring to my charges by declining to sanction the inquiry; but as it is my intention to carry this matter further, I would most respectfully ask to be made acquainted with those reasons, so that the whole matter may appear upon the correspondence without requiring any explanatory observations after it is closed.

2. And with reference to His Excellency's observations, he seems to be labouring under some misapprehension as to the facts. I did not make or intend to make any charge of neglect of duty against Captain Hopkins in my letter of 16th February last, and unless His Excellency has been misinformed as to Captain Hopkins' position—who was not a Drill Instructor, but the Brigade Adjutant of the Volunteer Artillery—the statement that "I made an official complaint of Captain Hopkins' supposed neglect of duty to Captain Hopkins himself" is scarcely appropriate, my letter clearly showing that my complaint to Captain Hopkins was of the neglect of a Drill Instructor in not being in attendance; and my addressing Captain Hopkins could scarcely merit the reprimand, when I find it laid down in all military authorities that the Adjutant is the channel through which all official documents and statements are made to Commanding Officers.

3. Even should it be otherwise, I am not prepared to believe His Excellency justifies the language indulged in by Captain Hopkins upon the occasion complained of.

4. I fully admit a Staff Officer, although my junior in rank, is not my subordinate whilst acting as such, nor is he my superior; but in this matter Captain Hopkins was not so acting, and being my junior in rank, I submit is my subordinate, and as such had no right to reprimand me (his senior officer) without authority.

5. I deplore as much as any one the difficulty which has arisen from so small a cause; but a Volunteer officer, when endeavouring to discharge his duty faithfully, should be treated with some degree of respect even from military officers. I am, and have always been, ready and willing to accept an acknowledgment from Captain Hopkins of his error on his withdrawing the reprimand, and my earliest letter (20th February last) in this correspondence asked for this, and when the insinuations which that reprimand contains are duly considered I think I could scarcely be expected to rest satisfied with less.

I have, &c.,

WILLIAM DEANE,

Capt. No. 2 or N.S.W. Battery V.A.

Forwarded for information of Commandant.

I have hitherto abstained (from motives of delicacy) offering any opinion upon this correspondence. In the hope, however, of preventing its going any further, I now beg most respectfully to offer some remarks for the consideration of the Commandant. Captain Deane's first letter to Captain Hopkins was simply a complaint (*against the Instructor detailed for duty on the evening in question, and inquiring the cause of his neglect in not being present at drill*) arising out of a report made to him (Captain Deane) by certain members of his battery, which had he disregarded would have constituted a dereliction of duty on his part. It thus appears the only fault or error committed by Captain Deane was in his having addressed Captain Hopkins instead of myself, which could at once have been set right by Captain Hopkins returning the letter through me, at the same time pointing out the irregularity. Under these circumstances, therefore, I submit Captain Hopkins' censure was not only improperly applied, but entirely unmerited, and should be withdrawn.

16/8/71.

P. L. C. S.,

Major, Comg. V.A.

No. 26.

LIEUT.-COLONEL RICHARDSON to HIS EXCELLENCY THE GOVERNOR.

Brigade Office,

Sydney, 18 August, 1871.

My Lord,

14 August, 1871.

I HAVE the honor to forward a letter from Captain William Deane, No. 2 Battery Volunteer Artillery Brigade, requesting to be favoured with the reasons which induced your Lordship to decline to sanction an inquiry with reference to the charges preferred by that officer against myself, and secondly, commenting upon your Excellency's action in the matter.

I abstain from further remark, beyond an expression of deep regret that an officer of the Force under my command should have so far forgotten the respect and subordination due to your Lordship as to have permitted himself to indulge in any criticism whatever on the course you have thought proper to adopt.

I have, &c.,

JOHN S. RICHARDSON, Lt.-Col.,

Commandant.

No. 27.

MINUTE OF HIS EXCELLENCY.

To the Colonial Secretary,—

I have had an interview with the Honorable Solicitor General to-day upon the subject of Captain Deane's letters, both of which have been before the Attorney General also.

The last letter is clearly of an insubordinate character, and the Law Officers are both of opinion that Captain Deane should no longer be permitted to retain a commission in the Volunteer Force.

Had Captain Deane been an officer in the Army, he would have been of course tried by Court-Martial; but there is no analogous Court before which he could be tried, and it is considered that the case is not one within the province of a Court of Inquiry under the Volunteer Act, which it was at first contemplated to order. I agree with the Law Officers in the view they take of this case, and therefore forward the papers to the Honorable Colonial Secretary; for the necessary minute to be prepared for the Executive Council, removing Captain Deane from the command of No. 2 Battery, Volunteer Artillery.

B., 23/8/71.

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No. 28.

HIS EXCELLENCY THE GOVERNOR TO LIEUT.-COLONEL RICHARDSON.

Sir,

Government House,
Sydney, 9 September, 1871.

REFERRING to your letter of the 18th August, forwarding one dated 14th from Mr. William Deane, Captain of No. 2 Battery Volunteer Artillery, I have now the honor to transmit to you the copy of an approved Minute of the Executive Council, dispensing, on behalf of Her Majesty, for the reason therein set forth, with the further services of Mr. William Deane in the Volunteer Force.

B. Order, 11/9/71.

I have, &c.,
BELMORE.

[Enclosure in No. 28.]

Minute Paper for the Executive Council.

29/8/71.—B.

Colonial Secretary's Office,
Sydney, 28 August, 1871.

UNDER the circumstances shown in the accompanying papers, disclosing an act of insubordination on the part of Mr. William Deane, Captain of No. 2 Battery Volunteer Artillery, I recommend that His Excellency be advised to dispense, on the behalf of Her Majesty, with the further services of this officer in the Volunteer Force.

JOHN ROBERTSON.

THE Executive Council entirely concur in the opinion herein expressed of insubordination on the part of Mr. William Deane, Captain of No. 2 Battery Volunteer Artillery, as set forth in the accompanying papers, and accordingly advise that His Excellency the Governor should, on behalf of Her Majesty, dispense with the further services of Mr. Deane in the Volunteer Force.

ALEX. C. BUDGE,
Clerk of the Council.

Min. 71-41, 29/8/71.—Confirmed, 2/9/71.
Approved.—B., 5/9/71.

No. 29.

Lieut.-Colonel Richardson to Major Shepherd.

Sir,

Brigade Office,
Sydney, 11 September, 1871.

I HAVE the honor to request that you will inform Captain William Deane, No. 2 Battery Volunteer Artillery Brigade, that His Excellency the Governor, with the advice of the Executive Council, has been pleased to dispense with his further services in the Volunteer Force, by reason of insubordinate conduct.

Enclosed is a copy of the Brigade Order on the subject.

With reference to the above, you will also be pleased to instruct Mr. Deane to hand over the command and charge of No. 2 Battery to Lieut. Talbot.

I have, &c.,
JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

[Enclosure in No. 29.]

Brigade Order.

Brigade Office,
Sydney, 11 September, 1871.

Para. 1.—His Excellency the Governor, with the advice of the Executive Council, is pleased, on behalf of Her Majesty, to dispense with the further services in the Volunteer Force of Mr. William Deane, Captain No. 2 Battery, Volunteer Artillery.

JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

No. 30.

Extract from the *Sydney Morning Herald* of the 22nd May, 1872.

"LYNCH LAW FOR VOLUNTEERS.

"To the Editor of the *Sydney Morning Herald*.

"Sir,

"As Volunteers may not be aware that under the 'Martin Ministry,' although they were not subject to Martial Law, they were to Lynch Law, I have deemed it right to publish the following correspondence, to show that such was the case, and how I was lynched.

"Yours, &c.,
"WILLIAM DEANE.

"My Lord,

"75, Elizabeth-street,
"20 February, 1872.

"I have recently had the opportunity of perusing a Minute of your Excellency's on my case, dated 23/8/71, being No. 7 of the papers printed by order of Parliament, but I believe not yet tabled, by which I learn that I have been removed from the command of No. 2 Battery, Volunteer Artillery, without hearing or investigation, because there was no tribunal by which my case could have been investigated.

"As your Excellency, it seems to me, must have adopted this extreme measure with great reluctance, being one so contrary to the first principles of British justice, which ever presumes a man innocent until proved guilty, I would beg most respectfully to offer for your Excellency's consideration a suggestion by which so great a hardship to myself and reproach to the Colony might be removed, which is—that I should be reinstated in my command upon my consenting to an investigation of the whole matter by such tribunal as the officers commanding Volunteer Rifles and Volunteer Artillery may appoint.

"I have, &c.,
"WILLIAM DEANE.

"To His Excellency the Earl of Belmore."

"Letters of the 5th and 21st March, asking for a reply, having been sent, the following reply was received:—

"Sir,

"Government House, Sydney,
"March 28th, 1872.

"I am directed by His Excellency to acknowledge your letter of the 21st instant, and to inform you that it has been submitted to the Ministers, who have advised His Excellency that there are no grounds for re-opening the matter.

"I have, &c.,
"ARTHUR HENRY,
"Private Secretary.

"William Deane, Esq., 75, Elizabeth-street."

No. 31.

MR. WILLIAM DEANE to HIS EXCELLENCY THE GOVERNOR.

Sir,

63, Elizabeth-street,
10 July, 1873.

I HAVE the honor to address you, as Commander-in-Chief of the Volunteers in this Colony, under the following circumstances:—

On the 11th of September, 1871, being in command of No. 2 Battery Volunteer Artillery, my services were dispensed with for an alleged act of insubordination, without Court of Inquiry, trial, or hearing of any kind, nor do I at this moment officially know what the alleged act of insubordination was.

Some time afterwards I learned that the cause of my harsh treatment arose from a doubt existing as to there being any power under the Volunteer Act to appoint a Court to inquire into the alleged act of insubordination because I was an officer, and I immediately thereupon offered to submit to have my case investigated by any tribunal which the Volunteer authorities might see fit to nominate, but this submission was not acted upon.

I now learn that your Excellency is of opinion that the conduct of an officer may be brought before a Court of Inquiry, having recently appointed a Court to inquire into the conduct of Captain Bamford.

May I, therefore, ask that you will be pleased to restore me to my command, with a view to my conduct and my alleged act of insubordination being thoroughly investigated, in order that if such alleged act of insubordination be incapable of proof I may be relieved from the odium of an unjust charge.

I have, &c.,
WILLIAM DEANE.

Referred to Colonel Richardson for report on the case.—H.R., 12/7/73.

No. 32.

LIEUT.-COLONEL RICHARDSON to HIS EXCELLENCY THE GOVERNOR.

Brigade Office,
Sydney, 21 July, 1873.

YOUR EXCELLENCY,

In accordance with your minute 12-7-73 on letter from Mr. William Deane, dated 10th instant, I do myself the honor to state for your information that the insubordination alluded to in minute approved by His Excellency Earl Belmore in Council, dated 5-9-71, refers, I presume, more particularly to Mr. Deane's conduct in declining to accept His Lordship's decision on the question in point, as evinced by his letter of the 14th August, 1871, wherein he states in effect that "it is his intention to carry the matter further," and requests to be informed of the reasons which induced His Excellency to decline to sanction a Court of Inquiry with reference to certain charges, he had preferred against myself, &c., &c.

I cannot understand how any doubt could exist as to the power to appoint a Court of Inquiry (*vide* clause 24 Volunteer Act of 1867), but should rather imagine the doubt would have reference more probably as to the expediency in the first place of re-opening a matter previously decided by His Excellency, and in the second place the necessity of investigating the immediate cause which led to Mr. Deane's services being dispensed with, the same being very obvious, and as contained in letter above quoted.

I am unaware upon what authority Mr. Deane bases his statement as to the reason given for the summary disposal of his case, except from letters published in the *Sydney Morning Herald* of the 22nd May, 1872, which, together with other correspondence, is enclosed for your Excellency's information.

I have, &c.,

J. S. RICHARDSON, Lt.-Col.,
Commandant.

[Enclosures in No. 32.]

Letter from Captain Deane, 10/7/73, returned.

1. Correspondence ordered to be printed by Parliament 8 June, 1871.
2. Letter from Captain Deane to Major Shepherd, 18/7/71.
3. " " to Governor, 18/7/71.
4. " Commandant to Governor, 24/7/71.
5. Reply from Governor, 26/7/71.
6. Letter to Major Shepherd, 27/7/71.
7. Letter from Captain Deane, 29/7/71.
8. " " 14/8/71.
9. Letter to Governor, 18/8/71.
10. Reply from Governor, 9/9/71.
11. Letter to Major Shepherd, 11/9/71.
12. Brigade Order, 11/9/71.
13. Extract from *Sydney Morning Herald*, 22/5/72.

Papers called for by Major Shepherd.

No. 1.

SERGEANT WORTHY'S CASE.

No. 1.

Major Shepherd to Lieut.-Colonel Richardson.

Sir, Volunteer Artillery Office, Sydney, 6 November, 1871.
I HAVE the honor to request that application be made for four additional Drill Instructors for the Volunteer Artillery, and I beg to recommend that they be procured from England—that they should have held rank in the Royal Artillery as sergeants or corporals—and that they shall have had some experience in drilling Volunteers.

I have, &c.,

P. L. C. SHEPHERD, Major,
Com. Vol. A.

Before taking this course I should like to see if we cannot procure Instructors from the N.S.W. Artillery, as it would be a great saving of expenditure.—J.S.R., Lt.-Col., Comdt., 11/11/71.

No. 2.

Extract from Brigade Office Register, No. 72/73.

From Major Shepherd, dated 9 January, 1872, reporting absence of Sergeant Worthy from recruit drill. Forwarded to Capt. Airey, N.S.W. Art., for report, 12/1/72, viz. :—The Officer Commanding Art. to investigate and report. I should also be glad if arrangements could be made that Sergt. Worthy should not be on duty on Mondays, Tuesdays, and Fridays.—J.S.R., Lt.-Col., Comdt., 11/1/72.

Captain Airey's report :—

Sergt. Worthy states that, in consequence of an accident to his toe whilst bathing, he was unable to attend in time ; when he arrived at Hyde Park the parade had marched off ; he saw Sergt.-major Green there.

Sergt.-major Green states he never saw Sergt. Worthy at parade, as he stated, neither did he report himself unfit for duty.—G.A., Capt., Comd. N.S.W. Art.

Returned to Major Shepherd with following minute, viz. :—I have cautioned Sergt. Worthy as to the necessity of performing his duty with regularity, otherwise there will be no option but to discontinue his services with the Volunteers.—J.S.R., Lt.-Col., Comdt., 19/1/72.

No. 3.

Major Shepherd to Lieut.-Colonel Richardson.

Sir, Volunteer Artillery Office, Sydney, 6 February, 1872.
I DO myself the honor to inform you that I have received a letter from Drill Instructor Worthy, stating that he will be unable to attend marching drill on Wednesday next, as he is detailed for guard duty at Government-gate on that day.

I have more than once had occasion to complain of similar interruptions to Sergeant Worthy's duties as an Instructor, and much inconvenience has necessarily been caused by his absence. I would therefore beg to recommend that his services in connection with the Volunteer Artillery be dispensed with, and that some competent person, who will be able to devote his undivided attention to the duty, be appointed in his stead.

I believe that such a change would be beneficial, as Sergeant Worthy is not by any means a good Instructor, and he has been very lax in the performance of his duty.

I have, &c.,

P. L. C. SHEPHERD, Major,
Commanding V.A.

Returned with Sergt.-major M'Garvey's report.—P.L.C.S., Major, Com. V.A., 9/2/72.

No. 4.

Memo. Volunteer Artillery Office, Sydney, 9 February, 1872.
IN compliance with Major Shepherd's memo. of 8th inst., I report as follows :—

That Sergeant Worthy has for a long time past performed his duties as Instructor in a very careless and unsatisfactory manner.

On many occasions complaints have been made to me by members of various squads handed over to him for instruction as to the manner in which he has conducted the drills, and some of them have gone so far as to say that they would not attend drill under him.

His frequent absences also (sometimes without sufficient excuse) have been productive of real inconvenience, and have interfered materially with the effective conduct of the drill.

Major Shepherd, Com. Vol. Artillery.

D. M'GARVEY,
Sergt.-Major.

Forwarded for information of Commandant.—P.L.C.S., Major, Com. V.A., 9/2/72.

No. 5.

Major Airey to The Commandant.

Sir,

Dawes' Battery, Sydney, 4 July, 1872.

IT now being Sergeant Worthy's turn to take charge of detachments at out-lying batteries, I request you will be pleased to inform me what arrangements can be made in order to allow of his performing this duty. It would be unfair to the other non-commissioned officers if, on account of his undertaking other duties for his own benefit, he should on that account be exempt from performing his fair share of the duty in the New South Wales Artillery.

I have, &c.,

GEO. J. AIREY, Major,
Com. N.S.W. Artillery.

Can the Major Commanding detail another non-commissioned officer (who is a good Instructor) to take Sergt. Worthy's place when on duty at the out-lying batteries?—J.S.R., Lt.-Col., 8/7/72, B.C.

Sergeant Griffiths I would recommend as a far better Instructor.—G.A., Major, Com. N.S.W.A., 8/7/72.

Major Shepherd.—Under the circumstances I shall have to supply Sergt. Worthy's place (when in charge of the out batteries) by Sergt. Harris,* the same being duly notified in Brigade Orders for the information of the Major Commanding Vol. Art.—J.S.R., Lt.-Col., Comdt., 10/7/72, B.C. To be returned.

*Error—should
be Ser. Griffiths.
—J.S.R., Lt.-Col.

Having already pointed out to the Commandant in previous correspondence the serious disadvantage arising from the fact of the Artillery Instructors being *nominally* under my control, while *really* subject to other authority, and liable (as in the present instance) to be removed at any moment, I beg strongly to protest against this or any similar future appointment from the paid Artillery, and respectfully decline to employ such. I beg also to state that Sergt. Worthy's services have, as the Commandant is aware, been so unsatisfactory that I would prefer dispensing with them in future. I now beg to recommend and forward my application for four Instructors from England, to be under my sole control.—P.L.C.S., Major, Com. V.A., 12/7/72.

Returned for Major Shepherd's reconsideration with reference to his expressed determination not to employ any of N.S.W. Artillery who may be appointed to act as Instructors to the Volunteer Artillery.—J.S.R., Lt.-Col., 13/7/72, B.C. To be returned.

I fully considered the step before making my memo. of 13/7/72, and therefore am acting advisedly.—P.L.C.S., Major, Com. V.A., 16/7/72.

No. 6.

LIEUT.-COLONEL RICHARDSON to HIS EXCELLENCY THE GOVERNOR.

Your Excellency,

Brigade Office, Sydney, 26 July, 1872.

THE action of Major Shepherd, Commanding Volunteer Artillery Brigade, in refusing to defer to my arrangements for the supply of Instructors to that branch of the Force, as shown by his memorandum on accompanying letter from Major Airey, New South Wales Artillery, dated 4th instant, No. 135, compels me to bring to your notice prior correspondence (enclosed*) on same subject, as also his position, &c., as Officer Commanding Volunteer Artillery Brigade, concerning which an opinion was given by His Excellency the Earl of Belmore, but which Major Shepherd desires should be reconsidered, as shown by the correspondence.

I have the honor to remark, for your Excellency's information, that the arrangement for the supply of Instructors was approved by the late Government, and is to the following effect, viz. :—

Two Instructors of the Volunteer Permanent Staff (I have since recommended a third) to be attached to the Volunteer Artillery Brigade, under the conditions specified in paragraph 55, Volunteer Regulations, and that the additional Instructors required should be furnished, at reduced rates of pay, by the New South Wales Artillery; these latter, however, of necessity being under the control and orders of Major Shepherd only whilst imparting instruction. This provision, in my opinion, would have been found quite equal to the requirements of the Volunteer Artillery, had the cordial co-operation of Major Shepherd been given.

Assuming Major Shepherd to be correct as to the inexpediency of employing any of the New South Wales Artillery as Instructors, I beg nevertheless to submit that it was his duty, not only in the case in point, but also as regarded Captain Hopkins, late Brigade Adjutant, Volunteer Artillery Brigade, to have carried out such arrangements, and availed himself of such services as had been placed at his disposal by the Government, for the instruction and training of the Force under his command; and, moreover, that in failing so to do he has taken upon himself a responsibility neither contemplated or sanctioned by the Volunteer Act and Regulations and the customs of the Service.

In conclusion, I beg respectfully to express a hope that a reorganization of the Volunteer Force may be effected, in order to ensure increased discipline and efficiency.

I have, &c.,

JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

* Correspondence, &c., respecting Major Shepherd's application to be appointed Commandant, &c., of Volunteer Artillery, ordered by the Legislative Assembly to be printed, 28 June, 1872.—J.S.R., Lt. Col., 14/1/76.

No. 7.

Memo.

Dawes' Battery, 16 July, 1872.

THE Brigade Major is informed that his Memo. relative to Sergeant Worthy taking his turn at the new batteries not having been received until after the relief for this month had taken place, when Sergeant Griffiths was sent in charge, Sergeant Worthy will not therefore be sent out until the next relief on the 4th August, 1872.

The Brigade Major, Sydney.

GEO. J. AIREY, Major,
Commanding N.S.W. Artillery.

No. 8.

Garrison Orders. Brigade Office, 18 July, 1872.
 THE Commandant is pleased, on the recommendation of the Major Commanding Volunteer Artillery Brigade, to dispense with the services of Sergeant Worthy, New South Wales Artillery, as an Instructor to the former branch of the Force from this date.

By Command,
 A. F. FITZSIMONS, Major,
 Major of Brigade.

No. 9.

Sergeant Worthy to Major Airey.

Sir, Dawes' Battery, Sydney, 19 July, 1872.
 AS the Officer Commanding Volunteer Artillery has dispensed with my services as a Drill Instructor, on account of my duties in the Defence Artillery interfering with the duties of the Volunteer Artillery, I most respectfully request that you will forward to the Commandant my application for my reinstatement on the Volunteer Permanent Staff.

My conduct as an Instructor has been such as to satisfy all officers of batteries under which I have been drilling, and I believe that, *personally*, Major Shepherd has no wish to part with me.

On my joining the Defence Force I was distinctly given to understand by the Commandant that so long as I conducted myself I should retain the position of Instructor to the Volunteer Artillery, at the rate of 2s. 6d. per diem; and as no complaints can be brought against me since my transfer on the 16th August, 1871, I now most respectfully forward my request to be transferred from the Defence Artillery to that of the Volunteer Artillery Staff.

H. J. WORTHY, Sergeant.

Forwarded for consideration of Colonel Commandant.—G.A., Major, C.N.S.W.A., 22/7/72.

The Major Commanding V.A.B.—Please to inform me if the services of Sergeant Worthy were of so unsatisfactory a nature as to preclude your recommendation of this application being complied with?—J.S.R., Lt.-Col., Comdt., 25/7/72, B.C.

I decline to recommend this transfer, having in view measures in reference to the instruction of the Volunteer Artillery which (if ultimately sanctioned) would render it inadvisable.—P.L.C.S., Major, Com. V.A., 30/7/72.

The Major Commanding Artillery.—As the Major Commanding Vol. Art. Brig. is averse to the transfer of Sergt. Worthy from the N.S.W.A. to the Vol. Per. Staff as an Instructor to the Vol. Art., I am unable to comply with his request. Sergt. Worthy may be informed that if he wishes he can be discharged from the corps in which he is now serving.—J.S.R., Lt.-Col., Comdt., 5/8/72, B.C. To be returned.

Noted and returned.—G.A., Major, C.N.S.W.A., 9/8/72.

No. 10.

Sergeant Worthy to Lieut.-Colonel Richardson.

Sir, Dawes Battery, Sydney, 31 July, 1872.
 ON the 22nd July, 1872, I wrote to you through my Commanding Officer respecting my dismissal from the Volunteer Artillery Staff, and as I have heard no more about it I feel it to be my bounden duty to write to you personally, and enclose a copy of which I sent, and I trust Sir you will take into consideration the loss I have *sustained* through no fault of my own, which my monthly diary will prove, and as I did not volunteer for this service, but was transferred by the late Governor on the 16th August, 1871, under your recommendation, and not sworn in here until the 18th of the same month, and under an agreement with yourself to receive 4s. per diem, as Sergeant in the Defence Artillery, and 2s. 6d. per diem as Instructor to the Volunteer Artillery, and as I have done nothing to *forfeit* the latter, which is nearly £50 per year, I trust Sir you will grant me my most humble request.

I am, &c.,
 H. J. WORTHY, Sergt.

No. 11.

LIEUT.-COLONEL RICHARDSON TO HIS EXCELLENCY THE GOVERNOR.

Your Excellency, Brigade Office, Sydney, 12 August, 1872.

I HAVE the honor to submit for your consideration an application from the non-commissioned officer named in the margin for his discharge from the New South Wales Artillery,

I have to inform your Excellency that Sergeant Worthy was formerly on the Volunteer Permanent Staff, and, on the establishment of the New South Wales Artillery, was transferred to that corps as a Sergeant, with the understanding that he was to be employed as formerly, with the Volunteer Artillery Brigade and with certain remuneration.

At the instigation of Major Shepherd, Commanding Volunteer Artillery Brigade, the services of this non-commissioned officer were dispensed with as an Instructor to the latter corps, and consequently there is to a certain extent a breach of agreement.

Under these circumstances I beg to recommend Sergeant Worthy's application be granted.

I have, &c.,
 JOHN S. RICHARDSON, Lieut.-Col.,
 Commandant.

Sergeant Henry
 John Worthy.

Sergeant

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[Enclosure in No. 11.]

Sergeant Worthy to Major Airey.

Sir,

Daves' Battey, Sydney, 9 August, 1872.
 HAVING been informed by you that I can obtain my discharge from the Corps in which I am now serving, I beg leave most respectfully to apply for the same; you will confer on me a great favour by obtaining me the discharge at as early a date as possible.

I have, &c.,

H. J. WORTHY, Sergt.

In accordance with Commandant's memo. I beg to forward this application.—G.A., Major,
 C.N.S.W.A., 9/8/72.

No. 12.

HIS EXCELLENCY THE GOVERNOR to LIEUT.-COLONEL RICHARDSON.

Sir,

Government House, Sydney, 13 August, 1872.

IN acknowledging the receipt of your letter of the 12th instant, I have the honor to inform you that I approve of the discharge of Sergeant Henry John Worthy from the New South Wales Artillery.

I have, &c.,

HERCULES ROBINSON.

No. 13.

Brigade Office, Sydney, 22 August, 1872.

Garrison Orders.

3.—Under the sanction of His Excellency the Governor, the Commandant is pleased to approve of No. 2 Sergt. Henry John Worthy, being this day discharged from the New South Wales Artillery, free, in consequence of his own request.

By Command,

A. F. FITZSIMONS, Major,

Major of Brigade.

No. 14.

Sergeant Worthy to Lieut.-Colonel Richardson.

Sir,

Francis-street, near College-street, 30 August, 1872.

AS the Officer Commanding the Volunteer Artillery Brigade is willing to take me back as an Instructor to the Artillery Brigade, and you say that you have nothing against me as an Instructor, and the Major with the whole of the officers of the left-half of the Brigade—that which I have been drilling—speak in the highest terms as to my drilling of late, also the Sergeant-Major who has had every opportunity of seeing if anything was going wrong with the above half of the Brigade, and as I have never been spoken to personally by any officer or non-commissioned officer of the Permanent Staff, or by any officer or non-commissioned officer of the Artillery Brigade respecting my drilling, and I must say that no honest man can say anything against my drilling in any of its branches, I may also say that during the course of musketry for the Artillery, I was the only Instructor detailed for that duty, as Captain Compton would have no other,—I now most respectfully ask you to reinstate me on the Permanent Staff.

I am, &c.,

H. J. WORTHY.

No. 15.

Mr. Worthy is informed, in reply to his letter of the 30th ultimo, that the Commandant has received no intimation from Major Shepherd that he is desirous he should be reinstated as an Instructor; and therefore, taking into consideration that officer's expressed views as regards Mr. Worthy, he is constrained to refuse the application, and further, the Commandant is unaware that Mr. Worthy as an Instructor gave the extreme satisfaction he quotes to Major Wilson and the officers of the left-half Brigade Volunteer Artillery.—A. F. FITZSIMONS, Major, M. of B., 3/9/72.

No. 16.

Sergeant Worthy to Lieut.-Colonel Richardson.

Sir,

160, Forbes-street, Woolloomooloo, 8 October, 1872.

I AM the second time applying to you for my reinstatement on the Staff, as I was in error in my first application as regards the satisfaction I gave to Major Wilson and the officers of the left-half Brigade, V.A., as I was not aware that it was necessary to get those officers to certify to the same, but I believe they have done so now, and might be at the Brigade Office, and as Major Shepherd told me distinctly that he had no objection to my reinstatement, as I told you, as requested by that officer so to do, I trusted there would be no difficulty in the matter, and as I have received no pay from the Staff since the 18th July, 1872, I trust, sir, that you will reconsider your memo., dated 3rd September, 1872, and grant me my most humble request.

I have, &c.,

H. J. WORTHY.

No. 17.

Brigade Office, Sydney, 11 October, 1872.

*Memo.

MR. WORTHY is informed, with reference to his letter of the 8th instant, that having been removed from the Staff in consequence of Major Shepherd's representations, the Commandant is unable to accept or act upon any mere *vivâ voce* statement.

By Command,

THOS. BAYNES, Capt.,

Act. Major of Bde.

* This memo. had also reference to personal interviews Mr. Worthy had with me subsequent to his discharge.—J.S.R., Lt.-Col., 18/1/76.

No. 18.

No. 18.

Sergeant Worthy to Capt. Baynes.

Sir,

Sydney, 24 March, 1873.

I AM again applying for an appointment on the Permanent Staff, having heard that Sergt. Matchett is appointed lately, and that there is still room for another Staff Sergeant. I appeal to you, trusting you will take into consideration the loss I have sustained, my services having been dispensed with since the 18th July, 1872, and not being able to get anything that I could undertake, and having done nothing to forfeit my situation, as Major Shepherd told me the other day that the reason he dispensed with my services was that he could not get me as an Instructor when he wanted me, and he felt it to be his duty to dispense with my service altogether. I am now 8 months without doing anything, and have had several very heavy drawbacks. I trust you will consider my very hard case and grant me my most humble request.

I have, &c.,

H. J. WORTHY.

Forwarded for the consideration of the Commandant.—T.B., Capt., Actg. M.B., 24/3/73.

For Major Shepherd's report.—J.S.R., Lt.-Col., Comdt., B.C., 26/3/73.

I have nothing to report in reference to this matter; the Comdt. is already aware of the circumstances; and as I have nothing to do with the appointment of Instructors I cannot offer an opinion in reference to the application.—P.L.C.S., Major, Com. V.A., 27/3/73.

Perhaps Major Shepherd will inform me if he considers Mr. Worthy competent as an Instructor, and whether he has any objection to his appointment?—J.S.R., Lt.-Col., Comdt., B.C., 28/3/73.

I should prefer my application for Instructors from England being granted, and as I have no reason to suppose it has been refused, the Instructors so applied for have had time to reach the Colony since it was sent in; I would therefore prefer awaiting their arrival to making any fresh appointments; at the same time I desire it to be distinctly understood that I shall not presume to make any objection to any appointments the Comdt. may think proper to make.—P.L.C.S., Major, Com. V.A., 1/4/73.

Major Shepherd does not give any *direct* reply to my memo., 28/3/73; I have therefore to request his further attention thereto. No application has been made for Instructors from England, as, in the first place, I cannot see the necessity of them, as all the Instructors, except one, have come from the Royal Artillery—two of whom quite recently; secondly, no one who has left the Service would come out except under a high rate of pay, and with a guarantee of permanent employment; and, lastly, it would be useless to apply for men who may be serving in the Imperial Service now that the troops have been withdrawn, and which by experience I have found to be highly objectionable, as in the case of M'Combe.—J.S.R., Lt.-Col., Comdt., 5/4/73.

I beg to refer the Commandant to my letter No. 110, dated 6th February, /72, since which time I have been in ignorance of Mr. Worthy's habits, and consequently unable to alter the opinion then given. I extremely regret to learn that my application of 6/11/71 has not been acted upon, as had the conditions been complied with I feel convinced that Instructors of a superior stamp would have been secured, in confirmation of which opinion I can point to Sergeant-Major Green and Sergeant M'Ewen. M'Combe was an illiterate gunner and never possessed the qualifications demanded in my application. I am of opinion that no ordinary expense should stand in the way of securing first class Instructors for the Volunteer Artillery, and I must positively decline to recommend the appointment of men of inferior ability.—P.L.C.S., Major, Com. V.A., 7/4/73.

No. 19.

LIEUT.-COLONEL RICHARDSON to HIS EXCELLENCY THE GOVERNOR.

Your Excellency,

Brigade Office, Sydney, 18 June, 1874.

IN forwarding the accompanying petition from the man named in the margin, on the subject of his removal from the Permanent Staff of the Volunteer Artillery Brigade, and letter from Major Airey having reference thereto, I have the honor to report for your Excellency's information that Mr. Worthy was in the first place a Sergeant on the Volunteer Permanent Staff as an Artillery Instructor. On the formation of the New South Wales Artillery it was decided to retain a certain number of Instructors on the Permanent Staff; the remainder (of whom Worthy was one) had the option of joining the New South Wales Artillery as non-commissioned officers, still acting as Instructors of Volunteer Artillery, the intention being to supply that branch of the Force with Instructors at a saving to the Country.

After this arrangement had gone on for some time, Major Shepherd, Commanding Volunteer Artillery, declined, for certain reasons, to employ Sergeant Worthy, and a report of the whole affair was forwarded by me to Your Excellency on the 26th July, 1872 (but of which no notice has been taken).

As there was a breach of agreement consequent upon Major Shepherd's action, I considered it only fair to release Sergeant Worthy from his engagement with the New South Wales Artillery, and offered him his discharge, which he took.

I have, &c.,

JOHN S. RICHARDSON, Lt.-Col.,

Commandant.

Colonial Secretary,—Have you got in your office the letter of the 26th July, 1872, herein referred to?—H.R., 20/6/74.

This letter of 26th July, 1872, does not appear to have been recorded.—C.W.

His Excellency.—23/7/74.

His Excellency.—The original not being apparently in the office, the enclosed copy has been obtained.—H.P., 6/2/75.

[Enclosure

[Enclosure 1 in No. 19.]

Botany Road, Redfern (three doors from Marion-street), 6 June, 1874.

To His Excellency SIR HERCULES ROBINSON, Governor and Commander-in-Chief, N.S. Wales.—The humble Petition of Henry John Worthy, Artillery Instructor, of Botany Road, Redfern, humbly sheweth:—That on the 17th October, 1868, I was appointed a Drill Instructor to the Volunteer Artillery on the Permanent Staff of N. S. Wales, and continued as such until 16th August, 1871, when I was transferred by the Earl of Belmore to the Defence Artillery Corps. I am sorry to say that it was not with my own consent, but under the circumstances I could not very well help it, as I was only asked the question on the day that I was sent to Dawes' Barracks to choose my quarters, and that was only four days before the Defence Force was formed, and was then told by the Commandant that if I objected to be transferred I should lose my Staff appointment. After thinking the matter over, and seeing nothing before me, as Sydney at that time was very dull, I was obliged to consent, and was transferred, as I have stated, with the understanding that I should receive 4s. per diem as Senior-Sergeant in the Defence Artillery, and 2s. 6d. per diem as Instructor to the Vol. Artillery, with rations, quarters, fuel, and light for myself, wife, and child. I was also given to understand that should the Defence Force be broken up, or that my service should not be required, I was then to return to my former Staff appointment. Your Excellency will please to understand that my agreement was for a period of five years, but I only served one year and six days, through the breaking of the contract by the Commandant, and, to my great surprise, on the 12th July, 1872, Major Shepherd, the Officer Commanding the Vol. Artillery Force, dispensed with my services as Instructor to the Vol. Artillery, without stating any reason for so doing; in fact, I paraded on the night of the 12th July for drill, as usual, and was met by Sergt.-Major M'Garvey, who read to myself and Sergt.-Major Hill from a memo. he had just received from Major Shepherd that he was not to allow myself, or any person from the Defence Artillery, to drill again, for what I knew not; but on the 18th July, 1872, it came out in Brigade Orders that the Commandant was pleased to approve of what Major Shepherd had done (this was six days after Major Shepherd had taken upon himself to do that which he has no power to do); hence the injustice done me. Your Excellency will please to understand that I served in Her Majesty's Royal Regiment of Artillery for a period extending over sixteen years, without a stain upon my character, and always gave the greatest satisfaction to my officers, some of which I have no doubt your Excellency may know. The officers I served under as senior officers are Col. Franklyn, Col. Brown, Majors Dickson, Roberts, Hope, and Bolton—Capt. E. T. W. Purcell being my last commanding officer in Her Majesty's Service. All these are officers of great distinction. The officer under whose instructions I was for a long period receiving instructions in gunnery and all artillery matters was Capt. Cameron, the Inspecting General being England and Bloomfield, both of which gave me a first-class certificate; and I do think that ought to be enough to prove that I am a fit and proper person to hold the position of Instructor in this Colony. I am a good Instructor, which with truth cannot be denied. The reason of my troubling your Excellency with this my humble petition is as follows:—

1. On the 12th July, 1872, Major Shepherd dispensed with my services,—a thing he has no power to do. The only reason given me by him or any other person was that my duty in the Defence Force interfered so much with the duties I had to perform with the Volunteers that he was obliged to take the course he did, as he was determined to see which was to be master, himself or Major Airey. I would now ask your Excellency am I to suffer for a thing that I could not have a word to say in, as I was a soldier, and obliged to obey my officers at all times, no matter how right or wrong, as obedience is the first duty of every soldier?—but your Excellency will find that Major Airey wrote to Major Shepherd in July, 1872, and informed that officer that it was my duty to take my turn at the Heads, to take charge of the batteries, and that I would be absent from my Volunteer duties for one month, but he, Major Airey, would send another sergeant to perform my duty, which he (Major Shepherd) justly refused to allow, as I was the Instructor appointed, and he would have no other. Now, if the contract that was made had been carried out this could have been avoided; still I am made to suffer because two officers chose to be of different opinions. There can be no doubt Major Shepherd had good cause to complain, as that is not the only case, as will be seen by your Excellency. On the 23rd May, 1872, I was warned, in writing, to attend at the Military Stores at 9 a.m., on the 24th, Her Majesty's Birthday, to superintend the harnessing of the horses for the parade of that day, which order I put into Major Airey's own hand, and he read it, and said, "All right," but to my surprise I was not allowed to attend the parade, but was put on the Garrison Guard at the Government House Gate. This of course was no fault of mine, and Major Shepherd again complained. On another occasion I was employed by the Commandant the whole day getting a steamer to convey the officers and men of the Defence Artillery to the Heads for shot practice. The time I speak of the Governor and Ministers of the Crown were present. To my surprise, on returning to barracks, I was made a prisoner; my name was put on the barrack gate by Sergt.-major Green, and I was not allowed out of barracks. This is what I got for doing my duty for the Commandant. On another occasion the Commandant sent his orderly to me with a verbal message to attend him at his office. I reported the same to Major Airey, and I was then told by that officer that I was to go on with the parade and not to mind the Commandant, as he should have been written to on the subject. On another occasion I was parading with the Defence Artillery, at Dawes' Battery, to attend at a sham fight at Waverley, when an order came for me to attend with the Volunteers. That order was also disobeyed by Major Airey, and I was obliged to march to Paddington Barracks with the Defence Artillery, and then fell out by order of the Commandant; but Major Shepherd refused to allow me to parade with the Volunteers, as I was not dressed in the uniform I should have been as an Instructor to that Force. There are many other instances that I could mention which gave Major Shepherd just cause to complain, but not to sanction his dispensing with my services; but your Excellency will find the true statement of everything I have herein stated by referring to my monthly diary and the detail-book, kept at the Brigade Office by Sergt.-major M'Garvey, from the 16th August, 1871, till the 12th July, 1872. Still, all I can say or do will not justify Major Shepherd in dispensing with my service, as he has no authority. He is only a Volunteer; therefore he could only recommend such a thing to be done, but not to do it. I also beg leave to state to your Excellency that when I saw the Brigade Orders of the 18th July, 1872, I applied, through my Commanding Officer, to the Commandant to be reinstated on the Staff; but the reply was, that Major Shepherd refused to take me back as a transfer from the Defence Artillery, but that I may be informed that I may have my discharge, which led me to believe that I was to be reinstated on getting it; but no, that was not to be, as I immediately applied for and obtained it with a *good character*, and applied personally to Major Shepherd to

to be reinstated, and he sent me to the Commandant with a verbal message that he had no objection to my reinstatement, but the Commandant refused to take it because it was not in writing. After leaving the Commandant's office I met Major Shepherd and told him that the Commandant was up-stairs, and that he could not take the verbal message; but he said, in the presence of the Paymaster, Captain Baynes, that it was all right—I need trouble no further. I then of course believed, as any other man would do, that my reinstatement was secured, as I well knew that I had done nothing to forfeit my service. I also received a memo. from Sergeant-major M'Garvey stating that as soon as I received my discharge all would be right; but it was not so, therefore the Government have broken their contract, as nothing has been shown that I have done anything to forfeit my service, for, as my letters at the Brigade Office will show, as well as my discharge; and I consider my case a very hard one and well worthy of your Excellency's consideration, as the Commandant has told me over and over again that he has got nothing against me, but that he could not reinstate me unless Major Shepherd wrote to him on the subject, and that he refused to do. Now there must be something wrong here, as the Commandant is the only person invested with the power either to dismiss or engage any person to or from the Permanent Staff. I have also the best of characters from the officers of the Volunteer Artillery, under whose command I have drilled. I am a good Instructor, which cannot be denied by any officer of the Volunteer Force.

2. Since my services were dispensed with, the Commandant has appointed two other Instructors to the Staff—one a most worthy and fitting man, M'Ewan, an old Imperial non-com. officer, a man that no one could object to; the other, a Volunteer, of no knowledge of Artillery matters except that which has been taught by myself and brother Instructors. I was his Instructor the whole of his recruit service, and I cannot say anything that would ever lead me to believe that he could make himself efficient as an Instructor. It appears he served just long enough as a Volunteer to get a land grant, and immediately applies for and gets a Staff appointment, which was the cause of one or more Courts of Inquiry on far superior men to himself, as far as drill is concerned. I may mention to your Excellency that this man, Matchett, now a Staff Sergeant, was and is now a grocer, and keeps a large place of business at the corner of Castlereagh and Park streets, and could get a good living without a Staff appointment, the same as he did when a Volunteer; and I must say that I think it a very hard case for me to stand by and see him placed in the position that I myself should be enjoying. I have worked hard, and have heard of nothing that I should forfeit my service for. I have lost 7s. per diem since the 22nd August, 1872, through no fault of my own, but through Major Shepherd taking upon himself to do that which none but the Commandant has the power to do; therefore your humble Petitioner earnestly prays your Excellency's consideration.

H. J. WORTHY,
Botany Road,
Three doors from Marion-street,
Redfern.

Major Airey to append his remarks on such portions of this communication as may concern his own action.—J.S.R., Lieut.-Col., Comdt., 12/6/74.

[Enclosure 2 in No. 19.]

Major Airey to Lieut.-Colonel Richardson.

Sir, Dawes' Battery, Sydney, 15 June, 1874.
IN reply to so much of the petition to H. E. the Governor, of Henry Worthy, late Sergeant of N.S.W. Arty., as came under my notice, I beg to state for your information that this man was appointed Sergeant in the Battery under my command by Garrison Order dated 16th August, 1871, without any conditions respecting the position he was to hold in the Vol. Arty. In July, 1872, it was his turn for duty at the fortifications, when a memo. from me was forwarded to Brigade Office, requesting to be informed if any objection to this existed; in reply, I was asked if I could spare a Drill Instructor for the Volunteers to replace Worthy for the time, when I recommended Sergt. Griffith, a superior Instructor. This must be the correspondence alluded to as having been forwarded to Major Shepherd. Respecting the remarks in petition relative to orders from Vol. Arty. to superintend harnessing of horses for Field Battery, I believe some notification from Sergt.-major M'Garvey, V.A., was received; but if Worthy's services were required by the Volunteers, such requisition should come through the Brigade Office from the Officer Commg. Vol. Arty. It being his turn he was sent on guard, but Battery Sergt.-major Green, N.S.W.A. (who is also an Instructor of Volunteers), was ordered to attend to the harnessing, &c., referred to. So regarding the parade with Volunteers, which he states he was ordered to attend, but was directed to proceed with N.S.W. Arty. to Paddington, in this instance also the only order received was from Sergeant-major M'Garvey, and of course such being irregular could not be recognized.

Bty. Sergt.-major Green, N.S.W.A., states that Worthy was never made a prisoner or confined to barracks, as stated by him in the petition, nor can I credit Worthy's assertion, as if such had been the case the matter would have to be brought before me for investigation, and neither guard reports, defaulters' book, or other record shows that such has taken place.

Worthy was permitted to forward a letter through me, asking to be reinstated as Artillery Instructor, on which a minute was written by Major Shepherd declining his services; and another minute of the Commandant's on the same communication, stated that Worthy's request could not be complied with, and instructing me to inform him that if he so wished he could now have his discharge from the N. S. W. Arty. These minutes were read to Worthy in the orderly-room, and he requested his discharge and forwarded a written application to obtain it. Such application was transmitted by me on the 10th Augt., 1872, and he was discharged from the N. S. W. Arty. at his own request on the 22nd Augt.

I have, &c.,
GEO. J. AIREY,
Major, Commg. N.S.W.A.

No. 20.

COLONEL RICHARDSON,—This is a case which has been inadvertently delayed in the Colonial Secretary's Office. I do not see that it now calls for any order from me. H.R., 9/2/75.

No. 2.

MAJOR SHEPHERD'S CHARGES AGAINST CAPTAIN WILSON.

No. 1.

Lieut.-Colonel Richardson to The Colonial Secretary.

Sir, Defence Commission, Sydney, 12 June, 1871. I HAVE the honor, at the request of Major Shepherd, Commanding Volunteer Artillery Brigade, to enclose letters from that officer, charging Captain Wilson, Secretary of the Defence Commission, with improperly making use of his name in conversation with Messrs. Langley and Brewer, of the Herald Office, together with copies of the correspondence having reference to the same. It will be seen by my letter to Major Shepherd, a copy of which is annexed, that, having in view all the circumstances of the case, together with the communications that had already passed bearing indirectly upon this matter, I considered no satisfactory result could arise from its further prosecution.

I have, &c., JOHN S. RICHARDSON, Lt.-Col., President, Defence Commission.

Refer this matter to the Defence Commission, who will perhaps be willing to inquire into it, and report to me their opinion with regard to it.—JOHN R., 30 June, /71. Lieut.-Colonel Richardson, President of Defence Commission.—H.H., B.C., 30 June, 1871.

Letter from Major Shepherd to Lieut.-Colonel Richardson 12-5-71
With copies of letters from—
Mr. Brewer 27-4-71
Mr. Langley 29-4-71
Major Shepherd to Captain Wilson 4-5-71
Major Shepherd to Captain Wilson 9-5-71
Major Shepherd to Captain Wilson 10-5-71
Captain Wilson to Lieut.-Colonel Richardson 10-5-71
Major Shepherd to Lieut.-Colonel Richardson 16-5-71
Mr. Brewer 20-5-71
Mr. Langley 23-5-71
Lieut.-Colonel Richardson to Major Shepherd 5-6-71
Reply 8-6-71

No. 2.

Major Shepherd to Lieut.-Colonel Richardson.

Sir, Darling Nursery, Sydney, 12 May, 1871. I HAVE the honor to report, for the information of the Honorable Colonial Secretary, that Captain Wilson, Secretary to the Defence Commission, is charged with having, on Saturday, the 22nd ultimo, made use of my name in a grossly insulting, unwarrantable, and unfounded manner, as set forth in two letters received from Messrs. Brewer and Langley, of the Herald Office, copies of which are forwarded herewith. I have given Captain Wilson ample opportunities for refuting the charge referred to, or of making an apology, neither of which he has thought proper to do, but postponed by the intervention of the most unimportant question, as will be seen by his letters (copies of which are enclosed) in answer to the charge.

I have therefore the honor to request that such steps may be taken in the matter as will at once relieve me from the stigma cast upon my character. It will not be possible for me to take my seat as a Member of the Defence Commission with Captain Wilson as Secretary until this matter is satisfactorily cleared up.

I have, &c., P. L. C. SHEPHERD, Member of the Defence Commission.

No. 3.

Mr. F. C. Brewer to Major Shepherd.

Sir, 39, Hunter-street, 27 April, 1871. I RECEIVED your note yesterday, asking for the substance of what Captain Wilson said to me on Saturday last, about your supposed connection with a paragraph alluding to the Fortifications, that appeared in the Herald of the 22nd instant. Before complying with the request, however, permit me to state that as Captain Wilson himself has made public a portion of the conversation in which the remarks about you were made by him I feel there can be no restraint on my now doing likewise. Captain Wilson wished me to give the authority for the statement in the paragraph in question, which I of course declined to do; he then made an allusion to you which I considered coarse, and afterwards said the statement was written or furnished by "either Shepherd, Deane, or —" a person whose name I do not now remember.

Mr. W. E. Langley of the Herald Office was present, and I have no doubt if you apply to him he will give you an account of all that was said, so far as you are concerned, of which the above is only a portion.

I remain, &c., F. C. BREWER.

No. 4.

Mr. W. E. Langley to Major Shepherd.

Sir, Herald Office, Sydney, 29 April, 1871. IN REPLY to your note of yesterday, asking for the substance of Captain Wilson's remarks to Mr. Brewer, I may inform you that my knowledge of their conversation is limited to the earlier portion. Brewer and myself were returning to the Herald Office about noon on Saturday last, when we were accosted by Wilson, who tried to induce Brewer to inform him who had written a paragraph in Herald respecting the defences. Brewer declined to give him any information, and Wilson said that the paragraph was

was a stab in the dark at some Mr. Paton of the Commissariat, and wished Brewer to tell the person who wrote it; that he was a damn liar. Brewer took the remark as intended to be offensive, and made some reply, to which Wilson rejoined, "I know who wrote it. Some more of Shepherd's damned lies." To this Brewer answered, "Major Shepherd has nothing to do with it." They continued talking on the subject, and I walked away before they finished. I feel no hesitation in giving this information at your request, as matters which have since transpired absolve me from any delicacy in repeating the conversation.

I am, &c.,

WM. E. LANGLEY.

No. 5.

Major Shepherd to Captain Wilson.

Sir,

Darling Nursery, Sydney, 4 May, 1871.

I HAVE the honor to inform you that it has been intimated to me by Messrs. Brewer and Langley, of the *Herald* Office, that on Saturday, the 22nd ultimo, you charged me with having written or furnished a paragraph headed "Harbour Fortifications," published in that day's *Herald*, and that in reference thereto you expressed yourself to the following effect: "Tell the person who wrote it that he is a damnation liar. I know who wrote it. Some more of Shepherd's damned lies."

I request to know if you made use of these expressions, and if so I demand their immediate retraction, with an ample apology.

I have, &c.,

P. L. C. SHEPHERD.

Forwarded for Capt. Wilson's report.—J.S.R., Lt.-Col., B.C., 16/5/71.

No. 6.

Captain Wilson to Major Shepherd.

Sir,

8 May, 1871.

I HAVE the honor to acknowledge the receipt of your letter of the 4th instant, in which you inform me that it has been intimated to you by Messrs. Brewer and Langley, of the *Herald* Office, "That I, on the 22nd instant, did charge you with being the author of a paragraph headed 'Harbour Fortifications' that appeared in the *Herald* of that date, and further, with having made use of your name together with some very strong language."

In order to answer your letter satisfactorily will you be good enough to furnish me with the hour of the day, on the 22nd ultimo, at which these gentlemen allege I made this charge, and used the language before alluded to with regard to you?

I have, &c.,

JAMES WILSON, Capt.

No. 7.

Major Shepherd to Captain Wilson.

Sir,

Darling Nursery, Sydney, 9 May, 1871.

IN reply to your letter of the 8th instant, desiring me to furnish you with the hour of the day on 22nd ultimo at which Messrs. Brewer and Langley allege the offensive expressions to have been used, it seems to me a matter of not the least importance, and one which must be perfectly within your own knowledge, at what time the expressions referred to in my letter of 4th instant were made use of. All I require to know is, did you use the expressions I have complained of or not on the day named in my letter?

Unless I receive a satisfactory denial or apology in the course of to-morrow I shall consider myself at liberty to take such steps in the matter as may seem fit.

I have, &c.,

P. L. C. SHEPHERD.

No. 8.

Captain Wilson to Major Shepherd.

Sir,

10 May, 1871.

I HAVE to acknowledge the receipt of your letter of the 9th inst., in which you say "that it seems to you to be a matter of no importance at what hour of the day on the 22nd ult. the expressions referred to in your letter of the 4th inst. were made use of, &c." I have the honor to assure you that it is a matter of the utmost importance to me to know the hour of the day in question at which these gentlemen allege I made use of the offensive remarks, as I met them more than once on the 22nd ult.

I am, &c.,

JAMES WILSON.

Forwarded for Capt. Wilson's report.—J.S.R., Lt.-Col., 16/5/71, B.C.

No. 9.

Captain Wilson to Lieut.-Colonel Richardson.

Sir,

16 May, 1871.

I HAVE the honor to report for your information that the statements of Messrs. Brewer and Langley, forwarded to Major Shepherd, having reference to the conversation that occurred between those gentlemen and myself on the 22nd ult., are distorted and inaccurate.

Mr. Langley's letter contains the information for which I asked Major Shepherd, namely, the hour of the day at which this alleged conversation took place.

I never attributed the article in the paper either then or at any other time to Major Shepherd or Capt. Deane. I did not make use of Major Shepherd's name in any way, nor insinuate that he was or had been the author of any lies.

I am not aware that Capt. Deane's name was ever mentioned, and the only allusion made to Major Shepherd was by Mr. Brewer, who used his name in speaking of a report he (Major Shepherd) had made to yourself.

I am, &c.,

JAMES WILSON.

Forwarded for Major Shepherd's information.—J.S.R., Lt.-Col., B.C., 17/5/71.

Forwarded for information of Messrs. Brewer and Langley, and for any remarks they may think proper to make.—P.L.C.S., 17/5/71.

Returned with letter and copies of replies from Messrs. F. C. Brewer and W. E. Langley.—P.L.C.S., 27/5/71.

No. 10.

Major Shepherd to Lieut.-Colonel Richardson.

Sir,

Darling Nursery, Sydney, 27 May, 1871.

I HAVE the honor to acknowledge the receipt of a letter from Captain Wilson to yourself, dated May 16th, in which he denies having used the expressions attributed to him by Messrs. Brewer and Langley. I forwarded that letter, together with two others received from Captain Wilson by myself, dated respectively 8 and 10 May, to those gentlemen, and I have now the honor to submit copies of their replies for the information of the Hon. Colonial Secretary, and to request that the following charge against Captain Wilson be investigated, viz.: "That Captain Wilson, Secretary to the Defence Commission, did, on the 22nd day of April last, between the hours of 12 noon and 1 p.m., allege that I had written or furnished a paragraph in the *Herald* of that day, headed 'Harbour Fortifications,' and that in reference thereto he expressed himself to the following effect:—'Tell the person who wrote it that he is a damnation liar. I know who wrote it. Some more of Shepherd's damned lies.'"

I beg to call the attention of the Hon. Colonial Secretary to the following facts:—

1. That up to the time of the appointment of Captain Wilson as Secretary to the Defence Commission we were only very slightly acquainted with each other.
2. That since then we have very rarely met or conversed together, except when on duty in our respective positions in connection with the Defence Commission.
3. It appears, therefore, that Captain Wilson must have arrived at the conclusions expressed by him on the 22nd ult. from his intercourse with me whilst officially engaged in the business of the Commission.
4. That Captain Wilson has therefore been guilty of a gross breach of privilege in commenting upon the conduct of a member of the Commission in terms so utterly unfounded and unwarrantable.

I have therefore to request that an inquiry into Captain Wilson's conduct may be held. Mr. F. C. Brewer and Mr. W. E. Langley of the *Herald* Office are prepared to verify the charge.

I have, &c.,

P. L. C. SHEPHERD,

Member, Defence Commission.

No. 11.

Mr. F. C. Brewer to Major Shepherd.

Dear Sir,

39, Hunter-street, 20 May, 1871.

I RECEIVED your note of the 17th instant, enclosing two replies from Captain Wilson to letters of yours, dated respectively May 8 and 10, and also a letter from Captain Wilson to Colonel Richardson, dated May 16. In the latter Captain Wilson first asserts "*that the statements made by Messrs. Langley and Brewer, forwarded to Major Shepherd, having reference to the conversation between those gentlemen and myself, on the 22nd ultimo, are distorted and inaccurate,*" and then he denies that your name or that of Mr. Deane was ever mentioned by him; it is therefore a question of *veracity* as between myself and Mr. Langley and Captain Wilson; and so far as I am concerned I am willing to have the matter tested in any way you may desire. On the contents of the letters referred to I have to remark—

1. That Captain Wilson *forced* his conversation on Mr. Langley and myself.
2. That he mentioned "Major Shepherd's" name in connection with the paragraph, and in the manner described in my letter to you of the 27th April, and also those of Mr. Deane, and a third person, whose name I believe was Mr. Bamford.
3. In Captain Wilson's letter to you, dated May 8, he wishes to know the hour at which these gentlemen allege he (Captain Wilson) made the charge against you of being the author of the paragraph in the *Herald* of the 22nd instant, relative to the Fortifications; and on referring to Captain Wilson's letter of May 10, I find the reason of his desire to know the hour to be in consequence of his having "*met them more than once on the 22nd April.*" Captain Wilson only met me once on that day, at about 1 o'clock, when the conversation about the Fortifications took place, and unless he had some doubt on his mind whether he used your name in connection with the paragraph alluded to or not, the ordinary inference is that he would not have required some *ten* days to give my statement a flat denial; and if he can so readily forget whether he met me once or twice, connected as the circumstance is with a matter seemingly of vast importance to him, of what value can his recollection be as to what transpired at the only interview I had with him on the 22nd April?

4. I have now to deal with the last part of Captain Wilson's letter to Colonel Richardson, wherein he states:—"The only allusion made to Major Shepherd was by Mr. Brewer, who used his name in speaking of a report he (Major Shepherd) had made to yourself." And in the preceding paragraph Captain Wilson, referring to himself, avers, "*I did not make use of Major Shepherd's name in any way.*" I repeat, that Colonel Richardson's name was never mentioned during the whole conversation; that after a tirade of abuse of the writer, in reply, I stated that a portion of the paragraph was borne out by a report sent in by Major Shepherd, which report I had been told the Governor had not seen; and in conclusion I would ask, is it probable that if your name was mentioned by me that Captain Wilson would not have used

it "in any way," as he states, especially when it is borne in mind that he has not yet denied having said to me "you can tell the writer from me that he is a damned liar," an expression which goes very far to prove that the person who used it was somewhat excited?

I remain, &c.,
F. C. BREWER.

No. 12.

Mr. W. E. Langley to Major Shepherd.

Dear Sir,

Sydney, 23 May, 1871.

MR. BREWER has shown me a letter sent you by Capt. Wilson, in which he to some extent denies the correctness of my statement as furnished you by letter at your request. To me the whole affair is of a most unpleasant character, as I have been unwittingly drawn into a matter in which I had not, nor have now, any interest whatever, and therefore decline to notice Capt. Wilson's disclaimer. My letter to you contains a statement of facts, which I am prepared to verify in any legal form you may deem necessary.

Yours, &c.,
WM. E. LANGLEY.

No. 13.

Lieut.-Colonel Richardson to Major Shepherd.

Sir,

Brigade Office, Sydney, 5 June, 1871.

I HAVE the honor to acknowledge the receipt of your letter of the 27th ultimo, with enclosures, and have to state that, under the circumstances disclosed, and being of opinion that no satisfactory result will be obtained from a further prosecution of the matter, I would suggest your consideration before finally adopting the course you desire.

I have, &c.,
JOHN S. RICHARDSON, Lt.-Col.,
Comg. Vol. Force.

No. 14.

Major Shepherd to Lieut.-Colonel Richardson.

Sir,

Darling Nursery, Sydney, 8 June, 1871.

I HAVE the honor, in reply to your letter of 5th instant, to state that, prior to writing my letter of 27th ultimo, I gave the subject in question the most mature consideration; and in thanking you for the suggestion contained in the last paragraph thereof, see no other course open to me, as the matter is one of character to myself and others, than to insist upon an immediate inquiry into the case.

Your letter, now under acknowledgment, is addressed to me in my Volunteer capacity. I would beg to call your attention to the fact that my communications to you have been merely as President of the Defence Commission from myself as a member thereof.

I have, &c.,
P. L. C. SHEPHERD,
Member, Defence Commission.

No. 15.

Major Shepherd to Lieut.-Colonel Richardson.

Sir,

Darling Nursery, Sydney, 18 July, 1871.

I HAVE the honor, in reference to your statement at a meeting of the Defence Commission held yesterday, "that Mr. W. E. Langley, of the *Herald* Office, had written you a letter, containing statements which you had proved by evidence to be false, and that therefore you would consider any evidence he could give as unreliable and worthless, and that the members of the Commission had, upon your reading said letter to them, adopted a similar view," to point out that it did not appear that any opportunity had been afforded Mr. Langley of explaining the statements alluded to by you. If this is the case it appears to me great injustice has been done to that gentleman; and that before denouncing him as a man whose word is not to be relied on, the Commission should (at least) hear his explanation, which I have no doubt he will give if invited to do so.

I have, &c.,
P. L. C. SHEPHERD,
Member, Defence Commission.

No. 16.

Lieut.-Colonel Richardson to The Colonial Secretary.

Sir,

Defence Commission Office, Sydney, 24 July, 1871.

IN accordance with your minute of the 30th ultimo, I have the honor to state, for your information, that the Commission having read the enclosed correspondence, together with that alluded to in my covering letter of the 12th June last, were of opinion that no definite conclusion could be arrived at, and accordingly decided

decided to request an interview with Major Shepherd, in order to induce him to accept Captain Wilson's denial of having used the expressions attributed to him. They regret however to state that Major Shepherd does not rest satisfied with Captain Wilson's denial, but requests further investigation by a *vivâ voce* examination of witnesses.

The Commission, conceiving your minute gives them no authority to conduct such an investigation, beg to return the correspondence.

I have, &c.,

JOHN S. RICHARDSON, Lt.-Col.,
President, Defence Commission.

Submitted, 26th July, 1871.

I do not know what authority the Defence Commission requires, but whatever is necessary shall be given, (and may, as far as I am concerned, be considered as given) to elicit the truth, and to insure that satisfactory information be laid before the Government.—JOHN R.

Lieut.-Colonel Richardson.—H.H., B.C., 4 Augt., 1871.

No. 17.

Lieut.-Colonel Richardson to Major Shepherd.

Sir,

Defence Commission Office, Sydney, 24 July, 1871.

I HAVE the honor to acknowledge the receipt of your letter of the 18th instant, at the same time to take exception to the first portion, which the Commission are of opinion is too strongly worded, and therefore not precisely what was intended to be conveyed to you.

The opinion arrived at by the Commission was founded entirely on the correspondence, and they do not consider they have authority to require of any one to undergo a *vivâ voce* examination with reference to such collateral matter.

I have, &c.,

JOHN S. RICHARDSON, Lt.-Col.,
President, Defence Commission.

No. 18.

Major Shepherd to Lieut.-Colonel Richardson.

Sir,

Darling Nursery, Sydney, 28 July, 1871.

I HAVE the honor, in reply to your letter of 24th instant, to express my regret that you should have deemed it necessary to take exception to the first portion of my letter of 18th instant, and to state that that letter was based upon notes taken by me immediately after the meeting of the 17th, of which the following is an extract:—"Colonel Richardson then stated that he did not see how any satisfactory result could be arrived at, as it would only be a matter of veracity as between Mr. Brewer and Captain Wilson, Mr. Langley having made statements in a letter written to him (Col. R.) arising out of the same conversation, which he had proved by evidence to be false; this letter had been read at a full meeting of the Defence Commission, and his (Col. R's.) opinion with reference to Mr. Langley was unanimously adopted, viz., that "his (Mr. Langley's) evidence could not be relied on." The Members of the Commission who were present will remember that, in reply to this statement, I urged that if Messrs. Brewer and Langley were examined, members could judge for themselves from the manner in which the evidence was given whether it was truthful or not. That during my long experience as a Magistrate I found great weight was attached to the manner in which witnesses gave their evidence, and that Judges in their places on the Bench frequently alluded to the same fact, and that at least some consideration should be given to Mr. Langley's evidence if it corroborated that of Mr. Brewer. I beg in conclusion to point out that the Commission could not possibly have arrived at their opinion regarding Mr. Langley entirely from the correspondence, as there is nothing whatever in that to indicate that that gentleman's word should be doubted.

In order to bring this extremely unpleasant matter to a close, and being greatly influenced in this course by Mr. Windeyer, an old Volunteer officer, and one or two other friends, I beg to propose as follows, viz.:—That if Captain Wilson will state in writing, upon his honor, that the statements of Messrs. Brewer and Langley are false and without foundation, that he never uttered the expressions in reference to me as set forth in my charge, and that during his intercourse with me he never had any grounds whatever for supposing me guilty of the gross conduct attributed to me in the said charge, I shall be prepared to let the matter drop.

I have, &c.,

P. L. C. SHEPHERD,
Member, Defence Commission.

Forwarded for Captain Wilson's information.—J.S.R., Lt.-Col., 1/8/71, B.C.

No. 19.

Lieut.-Colonel Richardson to Major Shepherd.

Sir,

Defence Commission Office, Sydney, 5 August, 1871.

WITH reference to your letter of the 28th ultimo on the subject of the unpleasantness between yourself and Captain Wilson, I have the honor, with regard to the concluding paragraph thereof, to enclose a statement from that officer, which I hope may be considered satisfactory. 3 August, 1871.

I have, &c.,

JOHN S. RICHARDSON, Lt.-Col.,
President, Defence Commission.

[Enclosure in No. 19.]

I STATE upon my honor, that the language attributed to me by Messrs. Langley and Brewer (as conveyed in Major Shepherd's charge) is a statement (distorted doubtless unintentionally) contrary to what actually occurred, and I deny having used it. Nothing

Nothing ever happened in my intercourse with Major Shepherd to warrant my forming an opinion that would justify such language on my part; and it is to me a matter of most sincere regret that Messrs. Langley and Brewer should have erroneously formed an impression so contrary to the facts of the case, and should thus have been the cause of so much inconvenience to Major Shepherd, as also of the interruption of that friendliness that had existed between Major Shepherd and myself, which I highly esteemed.

JAMES WILSON,
Secty., Def. Comn.

3 August, 1871.

Read and returned.—P.L.C.S., Mem., Def. Com., 12/8/71.

No. 20.

Major Shepherd to Lieut.-Colonel Richardson.

Sir, Darling Nursery, Sydney, 12 August, 1871.
I HAVE the honor to acknowledge the receipt of your letter of 5th instant, enclosing Captain Wilson's statement, in which he denies upon his honor having used the language attributed to him by Messrs. Brewer and Langley. I therefore now beg leave to withdraw my charge against that officer, and at the same time to express my regret that Captain Wilson did not, upon receipt of my first letter, act with more decision, as had he done so a great deal of trouble and annoyance would have been avoided. Statement returned herewith.

I have, &c.,
P. L. C. SHEPHERD,
Member, Defence Com.

No. 21.

Lieut.-Colonel Richardson to The Colonial Secretary.

Sir, Defence Commission Office, Sydney, 18 August, 1871.
WITH reference to the charge preferred by Major Shepherd, Volunteer Artillery Brigade, against Captain Wilson, Secretary of the Defence Commission, I have the honor to report for your information that the former officer has withdrawn the same, on receipt of a statement from Captain Wilson denying the use of the language imputed to him.

I have, &c.,
JOHN S. RICHARDSON, Lt.-Col.,
President, Defence Commission.

Seen.—JOHN R., 19 Aug., /71.

No. 22.

The Principal Under Secretary to Lieut.-Colonel Richardson.

Sir, Sydney, 21 August, 1871.
I AM directed by the Colonial Secretary to acknowledge the receipt of your letter of the 18th instant, stating that the charge preferred by Major Shepherd, Volunteer Artillery Brigade, against Captain Wilson, Secretary of the Defence Commission, has been withdrawn by that gentleman, on receipt of a statement from Captain Wilson denying the use of the language imputed to him, and to request that you will be good enough to return all papers connected with the above case to this office.

I have, &c.,
HENRY HALLORAN.

No. 23.

Lieut.-Colonel Richardson to The Colonial Secretary.

Sir, Defence Commission Office, Sydney, 23 August, 1871.
I HAVE the honor to forward herewith the whole of the papers (hereunder enumerated) connected with the charge preferred by Major Shepherd, Volunteer Artillery Brigade, against Captain Wilson, Secretary of the Defence Commission, as requested by letter, 71/6,053, dated Sydney, 21st August, 1871.

I have, &c.,
JOHN S. RICHARDSON, Lt.-Col.,
President, Defence Commission.

[Enclosures.]

From Major Shepherd to Lieut.-Colonel Richardson,	12/5/71.
With copies of letters from Mr. Brewer,	27/4/71.
Mr. Langley,	29/4/71.
Major Shepherd to Capt. Wilson,	4/5/71.
Reply,	9/5/71.
Major Shepherd to Capt. Wilson,	9/5/71.
Reply,	10/5/71.
From Captain Wilson to Lieut.-Colonel Richardson,	16/5/71.
Major Shepherd to do.	27/5/71.
Mr. Brewer,	20/5/71.
Mr. Langley,	23/5/71.
Lieut.-Colonel Richardson to Major Shepherd,	5/6/71.
Reply,	8/6/71.
Lieut.-Colonel Richardson to Hon. Col. Secretary,	12/6/71.
Do. do.	24/7/71.
Major Shepherd to Lieut.-Colonel Richardson,	28/7/71.
Lieut.-Colonel Richardson to Major Shepherd,	5/8/71.
With statement from Capt. Wilson,	3/8/71.
Major Shepherd to Lieut.-Colonel Richardson,	12/8/71.

DOCUMENTS bearing on the "Statements" referred to in Major Shepherd's Letter of 18 July, /71.—J.S.R., Lt.-Col., 14/1/76.

No. 24.

Captain Wilson to Lieut.-Colonel Richardson.

My dear Sir,

22 April, 1871.

WHILE in the billiard-room of the Volunteer Club this evening, Mr. Langley, in reply to some observations of mine relating to a paragraph that had appeared in the *Herald* of this day, made an assertion to the effect that a report of Major Shepherd's (having reference to shot practice) had been "burked" in the office, meaning the Brigade Office. As Mr. Brewer, of the same office, had made a similar observation the same day, but not in the same public manner, I consider it my duty, as an officer under your command, to report the same.

I might observe that Lieut. Strong, Sydney Battalion, was present when Mr. Langley made the above observations.

I remain, &c.,

JAMES WILSON, Capt.

No. 25.

Lieut.-Colonel Richardson to Mr. F. C. Brewer,

Dear Sir,

Brigade Office, Sydney, 24 April, 1871.

HAVING been informed that you recently made use of the following expression with reference to myself, viz., "that I had burked an official report of Major Shepherd's," or words to that effect, the same having reference to the practice of the Volunteer Artillery from Middle Head, on the 25th ultimo, I have to request you will kindly furnish me with your authority for making such a statement, as I cannot allow a matter injuriously affecting me in my official capacity to pass without inquiry.

Trusting you will see the justice of my request, and comply with the same,—

I remain, &c.,

J. S. RICHARDSON, Lt.-Col.

No. 26.

Lieut.-Colonel Richardson to Mr. W. E. Langley.

Dear Sir,

Brigade Office, Sydney, 24 April, 1871.

HAVING been informed that you recently made use of the following expression, with reference to myself, in a public place, and before numerous gentlemen, viz., "that I had burked an official report of Major Shepherd's," or words to that effect, the same having reference to the practice of the Volunteer Artillery from Middle Head, on the 25th ultimo, I have to request that you will kindly furnish me with your authority for making such a statement, as I cannot permit a matter injuriously affecting me in my official capacity to pass without inquiry.

Trusting you will see the justice of my request, and comply with the same,—

I remain, &c.,

J. S. RICHARDSON, Lt.-Col.

No. 27.

Mr. F. C. Brewer to Lieut.-Colonel Richardson.

Dear Sir,

33, Hunter-street, Sydney, 24 April, 1871.

IN reply to your letter of this morning's date, containing an inquiry with reference to an alleged statement made by me, to the effect that "you had burked an official report of Major Shepherd's," I beg to state that Captain Wilson, of the Defence Commission, met me at the Café Français, in George-street, on Saturday last, and commenced what I considered a violent attack on the *Herald*, and the writer of the paragraph in Saturday's issue of that journal referring to the Fortifications. After considerable discussion Captain Wilson said the statements in the paragraph were false, and I might tell the writer "he was a damned liar." To this I replied that I had little interest in the matter, and knew nothing more of the writer than that I believed him competent in some respects to form an opinion, and his statements were partially borne out by a report sent in from Major Shepherd, which I had been told never reached the Governor. The name of Colonel Richardson was not mentioned during the whole conversation. I have no doubt the person who informed me that Major Shepherd's report had not reached the Governor will permit me to give his name as soon as I have communicated with him.

I remain, &c.,

F. CAMPBELL BREWER.

P.S.—I also told Captain Wilson that if the assertions in the *Herald* were untrue they could be refuted through the same channel, and he did furnish me with the account of the official inspection which appears in to-day's *Herald*.

No. 28.

Major Shepherd to Mr. F. C. Brewer.

My dear Sir,

Darling Nursery, Sydney, 25 April, 1871.

IN reply to your letter of yesterday's date, I can have no objection to your naming me as your authority for the statement "that the Governor, up to the 10th instant, had not seen my report on the causes which operated against the practice from Middle Head Battery on the 25th ultimo." I remember distinctly explaining to you the substance of that report, and the annoyance to which I was subjected on all sides by the unfavourable remarks made on the shooting of the Artillery. And it was in reply to some remark of this kind that I asked His Excellency if he had not seen my report, to which he replied that he had not. At no time however during our conversation did any such expression of disrespect to Col. Richardson as appears in your letter pass between us, neither have I the most remote idea who the Saturday's correspondent of the *S. M. Herald* is, nor from whom his article emanated.

Yours, &c.,

P. L. C. SHEPHERD.

No. 29.

Mr. W. E. Langley to Lieut.-Colonel Richardson.

Dear Sir,

Herald Office, Sydney, 24 April, 1871.

YOURS of this date has caused me not a little surprise, and I most positively deny using the language imputed to me or hearing any one else use it. I certainly was present at a portion of a conversation which took place between Mr. Brewer and a person named Wilson, who commenced it by the use of language not the most refined respecting the *Herald*. Some mention of a report to the Governor was made by Mr. Brewer; but your name was not in any way connected with it. I walked away and did not hear what followed. In the evening I was at the Volunteer Club when Wilson came in and asked for Mr. Brewer. He then alluded to the par. in *Herald* and the conversation he had with Brewer in the afternoon, to which I replied, "I know nothing about the matter and declined to talk shop." He continued to speak and I then said, "If you have anything to say to Brewer go and talk to him; I have nothing to do with Volunteer matters." The only allusion at all to your name was when Wilson said the par. in *Herald* referred to was a direct attack on some Mr. Payten, to which I replied that I could not so view it—that it seemed rather aimed at the Staff, or the officer in charge, to which some one said, "The Commandant," and I think I replied, "Yes." I knew nothing, and wished to know nothing, about the matter, and closed the conversation rather abruptly. I have no wish to pry into the motives of the person from whom you received your information, but I will say that considering the character of the conversation that occurred between Brewer and Wilson, a person who could make such use of it as has been made is a dangerous man. Of his credibility you can form your own estimate when you receive replies to two letters written by me to W. Robertson, Esq., Clerk of the Papers at the Legislative Assembly, and Mr. W. Pell, one of the Committee of the Club, both of whom were present the whole time that I saw Wilson on Saturday night. These gentlemen are not connected with the Volunteer Force, and are unlikely to be biased one way or the other. As soon as I hear from them I will send you my letters to them and their answers.

Yours, &c.,

WM. E. LANGLEY.

No. 30.

Mr. W. E. Langley to Mr. R. W. Robertson.

Dear Sir,

Sydney, 24 April, 1871.

YOU were present on last Saturday night when a person named Wilson forced upon me a conversation respecting something which appeared in the *Herald*. Did you hear me make use of Colonel Richardson's name in any way, or allude to the Volunteers at all, except to what Wilson spoke respecting his conversation with Mr. Brewer? Did I, or did I not, several times request Wilson not to talk "shop" to me as I knew nothing about the Volunteers or their quarrels. An early answer will oblige

Yours, &c.,

WM. E. LANGLEY.

P.S.—Please return this with your reply.

As far as my memory serves me I did not hear you make use of Colonel Richardson's name. The conversation did not interest me; therefore I took little notice of it.—R. W. ROBERTSON.

No. 31.

Mr. W. E. Langley to Mr. W. Pell.

Dear Sir,

Sydney, 24 April, 1871.

YOU were present on last Saturday night when a person named Wilson forced upon me a conversation respecting something which appeared in the *S. M. Herald*. Did you hear me make use of Colonel Richardson's name in any way, or allude to the Volunteers at all, save to what Wilson spoke respecting his conversation with Mr. Brewer? An early answer will oblige

Yours, &c.,

WM. E. LANGLEY.

[Enclosure

39

[Enclosure in No. 31.]

Mr. W. Pell to Mr. W. E. Langley.

Dear Sir,

April 24, 1871.

IN answer to your note this afternoon received, I must inform you that I did not take particular notice of the conversation on Saturday evening last, until I heard you mention Mr. Brewer's name. You said—"It's nothing to do with me. Go to Brewer about it. I have nothing to do with Volunteer reports." That was said to Mr. Wilson; but I did not hear anything about Colonel Richardson, either by name or as the Commander of Volunteers.

I am, &c.,
W. PELL,
5, Bent-street.

No. 32.

Lieut.-Colonel Richardson to Jas. Fairfax, Esq.

My dear Fairfax,

Brigade Office, Sydney, April 26, 1871.

AS I am anxious to trace to its true source the authorship of a report circulated, to the effect that "an official document from Major Shepherd to the Governor had been retained in this office," I shall esteem it a favour by you giving me the name of the person from whom you received the information. This report has gained ground, and is calculated to do me an injury in my official capacity. Consequently I have every confidence that you will assist me as required.

I am, &c.,
J. S. RICHARDSON,
Lieut.-Colonel.

No. 33.

J. R. Fairfax, Esq., to Lieut.-Colonel Richardson.

My dear Sir,

Sydney, 26 April, 1871.

IN the usual course of business some remarks arose respecting a paragraph for insertion in Saturday's *Herald*, about the Fortifications, when Mr. Brewer said to me he was told that a report was sent in from Major Shepherd, and the Governor told Major Shepherd he had not seen it. Your name was not mentioned, nor was the Brigade Office.

I should be very glad to assist in tracing the source of the report, but beyond what I have stated I am entirely ignorant of the whole matter.

I remain, &c.,
JAS. R. FAIRFAX.

No. 34.

Lieut.-Colonel Richardson to Lieut. Strong.

Dear Sir,

Brigade Office, 26 April, 1871.

WOULD you kindly give me a written answer to what occurred in the Volunteer Club, of which you were a witness, having reference to Mr. Langley's remarks?

I am, &c.,
J. S. RICHARDSON, Lt.-Colonel.

No. 35.

Lieut. Strong to Lieut.-Colonel Richardson.

Dear Sir,

54, Hunter-street, 27 April, 1871.

IN reply to your note, I beg to inform you that at the Volunteer Club on Saturday evening last, Captain J. Wilson, in my presence, made some remarks having reference to a paragraph that appeared in that day's *Herald*, when Mr. Langley said, "What about Shepherd's report that the Colonel burked?"

Yours, &c.,
H. STRONG.

No. 36.

Lieut.-Colonel Richardson to Major Richards.

Sir,

Brigade Office, Sydney, 27 April, 1871.

A DAY or two since, when in this office, I casually inquired of you if you were cognizant of a report to the effect that "an official document of Major Shepherd's had been burked in this office," you replied, "you had heard it mentioned." I need hardly point out to you that, such a report being permitted to pass unchallenged, would materially injure me in my official capacity; I have therefore the honor to request you will be pleased to furnish me with a full account of the matter as related to you, and by whom, at your earliest convenience.

I have, &c.,
J. S. RICHARDSON, Lt.-Col.,
Comd. Vol. Force.

No. 37.

No. 37.

Major Richards to Lieut.-Colonel Richardson.

Sir,

28 April, 1871.

I BEG to acknowledge the receipt of your letter of yesterday's date, requesting me to furnish you with a full account of what I had heard respecting a report to the effect that an official document of Major Shepherd's had been burked in your office.

In reply I beg to state that I became aware of the existence of some such report, through an accidental conversation in the street with Mr. Langley, of the *Herald* Office. I met Mr. Langley—I think it was on Monday last—in Hunter-street, and after some talk upon indifferent subjects he informed me that a stir had been caused by an article which appeared in the *Herald* of the previous Saturday, criticising the condition of the new Fortifications. He related some conversation between Capt. Wilson and Mr. Brewer on the subject, and also a conversation between the former gentleman and himself, which occurred at the Volunteer Club. The substance of what I heard from Mr. Langley, respecting the latter, is, as well as I can recollect it, as follows:—Mr. Langley said he met Capt. Wilson and other officers at the Club, and the obnoxious leader in question became the subject of discussion among them. In the course of conversation he himself "rapped" out "What about that report of Major Shepherd's—has it been burked"? He then told me that to his surprise he had received a note from yourself requesting to know what authority he had for stating that you had burked a report of Major Shepherd's; and also, that he had prepared a reply thereto (a portion of which he read to me), denying that he had made any such statement.

I listened to the statement somewhat impatiently as I was on my way home, and it is therefore probable I may have misconceived some portion of it; but I have given you correctly herein the impression that was left on my mind.

Yours, &c.,

THOS. RICHARDS.

No. 38.

Major Shepherd to Lieut.-Colonel Richardson.

Sir,

Volunteer Artillery Office, Sydney, 27 March, 1871.

WITH reference to the shot practice carried on by the Volunteer Artillery from Middle Head, on Saturday last, I do myself the honor to report as follows:—

1. The delay in opening fire was occasioned from the late hour (2 p.m.) at which the men reached the battery. After partaking of some refreshment they fell in for shot practice at 2:30 p.m., when it was discovered that the preventor ropes had been left at Inner Middle Head. Having sent some men for these, I ordered the stores, ammunition, &c., to be placed ready for action, which occupied a considerable time, as the shot (68-pr.) and metal-lined cases with ammunition had to be carried some distance to the pits. Much time was also lost in searching for priming irons and lanyards, only five sets of which could be found, and some of the prickers had to be filed down before they would enter the vent; there were only eleven gromet wads supplied, which were absorbed in one or two pits; consequently the muzzles of the guns being so much depressed the shot would not remain in the bore but rolled out frequently two or three times before a gun could be fired. I may here remark that the elevation from which the guns at Middle Head were fired is 110 feet above water level, with about 1,000 yards range; whereas from George's Head Battery the range was 2,200 yards, and from the Inner South Head 1,400 yards, with considerably less elevation; thus the Volunteer Artillery were labouring under very considerable disadvantages as compared with the other batteries, and in addition the men have never been permitted to acquire a knowledge of traversing gun drill, and there was no time to admit of even a preliminary drill. The first salvo was not fired at the proper time because the men in charge of the signals most positively declared that the salvo signal was not given, although I suggested that it was the signal.

2. After much delay the practice commenced, when it was discovered that No. 1 gun could not be laid sufficiently low to make good practice, in consequence of insufficient scarfing; the shot for the want of wads was continually rolling about in the bore, and some fell very short of the target, having evidently left their bed before being fired. No selection of men was made for the occasion in consequence of the extreme haste in which arrangements had to be carried; but the six senior non-com. officers present were fallen out and acted as Nos. 1 throughout the practice. I have however to state that the reputation of the Volunteer Artillery was maintained by No. 4 gun, which being a little more favorably placed than the rest, made decidedly the best practice of the day.

In conclusion, I may add that, had every precaution been taken to render the practice from Middle Head ineffectual, it could not have been more successful.

I have, &c.,

P. L. C. SHEPHERD, Major,
Com. Vol. Artillery.

Perhaps Major Shepherd would explain the two portions of his report interlined by me.—J.S.R., Lt.-Col., B.C., 29/3/71. To be returned.

The first portion of my letter interlined refers to the fact that no lights have yet been provided for drill at Dawes' Battery, although I applied for them several months since. The last portion is not intended in any way to reflect upon any one, but simply to show under what disadvantages the Artillery were labouring, as set forth in the letter.—P.L.C.S., Major, Com. V.A., 31/3/71.

As it is not improbable, from circumstances that have occurred since the receipt of this report that I may consider it advisable to forward it to His Excellency the Governor, I have to request that Captain Hopkins will furnish me with his report, he having been the officer specially instructed to see that the requisite stores were at the battery ready for the practice.—J.S.R., Lt.-Col., 28/4/71.

41.

No. 39.

Captain Hopkins to Lieut.-Colonel Richardson.

Sir,

Volunteer Brigade Office, Sydney, 28 April, 1871.

WITH reference to your remarks, dated 28/4/71, on Major Shepherd's report of the 27th March, 1871, I have the honor to state that, on the 25th March, in accordance with orders, I proceeded to Middle Head, which I reached about 11 o'clock a.m., and found unprovided with stores. I immediately rode to George's Head, the battery on which, was also in my charge on that day, and found that by some mistake the stores for both batteries had been left there. I at once procured carts, and having, to avoid error, counted the articles required at Middle Head Battery, loaded and sent them there without delay. I may add that nearly all the drays were loaded in your presence.

I then returned to Middle Head, where I found Major Shepherd, and reported to him that on my way there I had visited the "detached gun," about 200 yards from his battery, and there found the preventor ropes for his guns, which ropes had been left there by mistake. I told him also that the other stores were on their way from George's Head, to which point I then returned, and reached at a walk about forty minutes before the firing commenced.

I have since then been informed that the gromet wads, the want of which Major Shepherd complains of, were for the most part left at the "detached gun." If that officer, having been previously informed of the preventor ropes having been there mislaid, had taken the precaution to send a gunner to search this battery, the practice therefrom would not have been delayed or hindered on this account.

With regard to the ammunition, the powder, when I saw it, was placed at a much shorter distance than usual from the guns of a battery unprovided with a magazine.

I have, &c.,

S. HOPKINS, Lt., R.A.,

Capt. and Bde.-Adjt., Vol. Artillery.

No. 40.

LIEUT.-COLONEL RICHARDSON TO HIS EXCELLENCY THE GOVERNOR.

My Lord,

Brigade Office, Sydney, 1 May, 1871.

I HAVE to regret the course which compels me to forward the enclosed correspondence, which course, after much and anxious consideration, I am induced to adopt for two reasons,—first, because I consider that a great principle is involved as to the discipline of the Volunteer Force; and secondly, being myself concerned, renders it inexpedient for me to take direct action. Under these circumstances I seek your Excellency's advice and assistance.

With your permission I beg respectfully to offer some comment on the correspondence, &c., submitted.

The letters of Captain Wilson and Lieut. Strong, of the Volunteer Force, distinctly aver that Messrs. Brewer and Langley (of the staff of the *Sydney Morning Herald*) made use of expressions charging me with having in effect suppressed an official report of Major Shepherd's to your Excellency. I have no reason to suppose that either of the Volunteer officers referred to had any design to, or indeed did, magnify or distort the statements imputed by them to Messrs. Brewer and Langley.

Having called upon these latter gentlemen for their authority, your Lordship will perceive by the replies that Mr. Brewer acknowledges stating, with reference to the writer of the paragraph in the *Herald* concerning the fortifications, viz., "His statements were partially borne out by a report sent in by Major Shepherd, which, he had been told, had never reached the Governor." Major Shepherd is subsequently given as the authority.

Mr. Langley virtually denies that any mention was made in the Volunteer Club as to the suppression of the report; but I may remark, what credence is to be placed on his statement, as opposed to the direct evidence of Captain Wilson and Lieut. Strong, and the conversation that subsequently took place between Major Richards and himself?

Neither can I attach any importance to the alleged fact that my name was not mentioned, such being unnecessary, as the responsible head of the department in which an official document was reported to be suppressed.

I am now tempted to inquire why Major Shepherd should have considered it necessary to inform a gentleman of Mr. Brewer's peculiar position, viz., as attached to the Press, that "your Excellency had not, up to the 10th ultimo, seen his report." Would not this imply that a report had been forwarded to your Lordship, and suppressed; and does not the subsequent action of Mr. Brewer seem to indicate that such was the impression he received from his conversation with Major Shepherd. Again, that officer "remembers distinctly explaining to Mr. Brewer the substance of that report." I need hardly say that this conduct would have been regarded and treated as a serious breach of discipline in the Imperial Service.

With reference to the oft-quoted report which I now enclose, accompanied by the remarks of Captain Hopkins and myself, I have to state that, being much dissatisfied and disappointed with the practice of the Volunteer Artillery on the 25th March last, I requested Major Shepherd to furnish, for my information, a report on the subject, adding that I was desirous to be in a position to explain the cause of the indifferent practice, which I subsequently did to the Premier.

In conclusion, I respectfully submit that allusions by officers to official matters, as above quoted, cannot, in my opinion, under any circumstances, be regarded otherwise than as breaches of discipline, and calculated to harm individuals, breed mischief, and act prejudicially to the welfare of the Volunteer Force as a military body.

I have, &c.,

J. S. RICHARDSON, Lt.-Col.,

Commg. Vol. Force.

Note.—No official reply was received to this letter.—J.S.R., Lt.-Col., Comdt.—13/1/76:

No. 3.

SERGEANT-MAJOR M'GARVEY'S SUSPENSION AT HAM COMMON.

No. 1.

CRIME.

STAFF Sergt.-major M'Garvey reported for drunkenness in Camp at Ham Common, thereby incapacitating himself from the performance of his duties, between the 11th and 14th April, 1873.

THOS. BAYNES, Capt.,
Act. Major of Bde.

19 April, 1873.

Evidence,—

Capt. Baynes.
Dr. Dansey.
Dr. Pattison.
Major Shepherd.

I shall be obliged if Major Shepherd would investigate this case and report, as I have no time to collect the evidence *pro* and *con*: I am leaving by the morning train on Monday.—J.S.R., Lt.-Col., 19/4/73.

Capt. Baynes will produce the evidence against him.

P.S.—The point I wish Major Shepherd to ascertain is, if S. M. M'Garvey has sufficient extenuating circumstances such as would warrant his retention as Sergt.-major.—J.S.R., Lt.-Col.

Reprimanded.—J.S.R., Lt.-Col., 3/5/73.

No. 2.

Lieut.-Colonel Richardson to Dr. Dansey:

Sir,

I HAVE the honor to request the favor of your report officially, regarding Sergeant-major M'Garvey of the Permanent Staff, Volunteer Artillery.

Brigade Office, 16 April, 1873.

I have, &c.,

JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

No. 3.

Surgeon Dansey to Lieut.-Colonel Richardson.

Sir,

I HAVE the honor to acknowledge the receipt of your letter dated 16th instant, relative to Sergt.-major M'Garvey.

26, Wynyard-square, 18 April, 1873.

I enclose the report of Asst. Surgn. Pattison under whose care he was prior to my attendance in Camp.

During the time I attended him I found him suffering from extreme debility, and at times delirious, evidently the effects of drink on a delicate system that had abstained for over six months, altogether.

I have, &c.,

G. F. DANSEY,
Surgeon, 1st S.B.V. Rifles.

No. 4.

Assistant Surgeon Pattison to Surgeon Dansey.

Sir,

I HAVE the honor to acknowledge the receipt of your communication *in re* Sergeant M'Garvey, of the Permanent Staff, Volunteer Artillery.

171, Premier Terrace, 17 April, 1873.

I was called to see M'Garvey about noon on Sunday the 13th instant, and found him in bed, suffering from extreme exhaustion; I treated him accordingly.

It would be impossible for me (having only seen him casually) to express an opinion as to the cause of his ailment; it might have arisen from one of the many discomforts of camp life in bad weather.

I have, &c.

EW. J. PATTISON,
Asst. Surgeon, 1st S.B.V.R.

No. 5.

Major Shepherd's Statement.

Capt. Baynes states that he repeatedly saw Sgt.-major M'Garvey during the encampment under the influence of drink, and on one occasion decidedly drunk, and the following day or the day after that, he was reported sick; he asked the Surgeon the cause, who replied it was occasioned from drink.

Sgt.-major M'Garvey states that he does not deny the charge, but in extenuation, urges that he had been six months without drink, and that being ill with the shivers he took drink as a remedy.

As it was from the Commandant himself that I derived my first information regarding this matter, at the time of its occurrence, and he having intimated to me the course he intended to adopt, I have no opinion to offer.—P.L.C.S., Major, Com. V.A., 28/4/73.

Major

Major Shepherd to inform me what day or days Sergt.-major M'Garvey was absent from his duties in camp, as also whether he has performed his duties as Sergt.-major since appointment, to the satisfaction of Major Shepherd. J.S.R., Lt.-Col., Comdt. B.C., 2/5/73.

Sunday and Monday Sgt.-major M'Garvey has performed his duties to my satisfaction, with the exception that I have had to caution him on several occasions against drink. P.L.C.S., Major, Com. V.A., 2/5/73.

Taking into consideration that Major Shephérð has hitherto been satisfied with Sergt.-major M'Garvey's performance of his duties (excepting as specified in memo. 2/5/73), and that this is but the second occasion of any irregularity being brought to my notice, and having given me a written pledge (appended), to abstain, I am induced to afford S. M. M'Garvey another chance, with, however, the distinct understanding that his future retention of his position is contingent on his habits, example, strict attention to, and performances of his duties, being entirely to the satisfaction of the Officer Commanding V.A.B. J.S.R., Lt.-Col., Commandt., 3/5/73. B.C., To be returned. Returned.—B.C., P.L.C.S., Major, Commdg. V.A., 7/5/73.

No. 6.

Sergeant-major M'Garvey to Lieut.-Colonel Richardson.

Sir,-

Victoria Barracks, 28th April, 1873.

I MOST humbly and earnestly beseech you to foregive me the charge of drunkenness, for which I have been the last eighteen days under arrest; and beg most respectfully to place before you the following statement, which I trust you will favorably consider in extenuation of my offence.

I was in a very weak state of health before leaving Sydney for the encampment, and having to start at a short notice on the Wednesday, I had no great-coat with me (my things having gone with the guns). I was taken ill during the night with the cold shivers, and was not well from then until I was removed by the doctor's orders, on Monday morning.

What I drank was taken more as a stimulant, as I was so very weak, and very little affected my head, and my unfitness to carry out my duties was caused as much through exhaustion as drink.

I have nothing now to hope for except your goodness in pardoning my offence, and I again implore you to consider what a great fall it will be for me if you reduce me. I have been three years next July, doing the duty of Sergeant-major, and have only been in receipt of the pay since January last. Oh! sir, in pity for my family, give me one more chance, you will never regret it. I have now been eighteen days under arrest, and during that time I have not had a night's rest through anxiety—sometimes thinking you would give me another opportunity to retrieve my character, and at other times despairing.

I most humbly and hopefully trust that the lenity and forbearance you have sometimes shown to the N.C. Officers of the Staff may be extended to me, and I most solemnly promise that, no matter what may happen, intoxicating drink will never again cross my lips.

Trusting that this last appeal to your goodness may soften your heart towards me,

I am, &c.,

D. M'GARVEY, Sergt.-major, Per. Staff.

I, Daniel M'Garvey, do most solemnly and sincerely promise, that I will never taste intoxicating drink, unless ordered by a medical gentleman.
Sydney, 3 May, 1873.

D. M'GARVEY.

MR. BAMFORD'S CASE ON AND AFTER 4 AUGUST 1873.

1.—POSITION.

No. 1.

LIEUT.-COLONEL RICHARDSON TO HIS EXCELLENCY THE GOVERNOR.

Your Excellency,

Brigade Office, Sydney, 8 August, 1873.

*Ordered by the
Legislative
Assembly to be
printed, 14/1/74.
J.S.R., Lt.-Col.

I HAVE the honor to forward, for your information, the proceedings of a Court of Inquiry*, assembled to investigate the conduct of Captain Bamford, Commanding No. 8 Battery, Volunteer Artillery Brigade, with reference—

1st. To his having prohibited the attendance of Gunner Lockyer, of his Battery, at the late Richmond Encampment, having placed the said Gunner improperly in arrest, and subsequently dismissed him from the Battery,—no circumstances existing to warrant his adopting such an extreme measure.

2nd. For insubordinate conduct, in using threatening language towards myself.

2. These matters are specifically set out in the form of charges, and, as given in for the guidance of the Court, are attached to its proceedings.

3. Your Excellency will be pleased to bear in mind, that some short time ago a Court of Inquiry was held to examine into the circumstances connected with Gunner Lockyer's discharge; but it appearing subsequently (from a communication of the 23rd May last, made by Captain Bamford, copy attached), that the Court had denied to Captain Bamford the privilege of producing rebutting evidence, and of making a reply to the statements which affected him, your Excellency was pleased to direct the assembly of a second Court of Inquiry, thus giving to Captain Bamford, an opportunity of explaining and rebutting the facts which seemed to affect him.

4. The object of each of these Courts being almost identical, I embodied, for reference to the second Court, what appeared to be the facts recorded by the first Court, preferring to do this rather than repeat the instructions myself.

5. With reference to the first instance in the first charge, declared by the Court not proved, I would point out, in justice to the first Court, whose expressed opinion, as before stated, led to this instance being brought before the second Court, that the evidence as given before the first Court seems to have warranted that Court reporting as it did. Captain Bamford himself also states, on the usual declaration, on honour, before that Court, that "he approved of the rejection of Lockyer's name, because he Lockyer did not attend in person to give it."

6. As to instance 2 of the first charge, the Court find that Gunner Lockyer was prohibited from attending the Camp by Captain Bamford, and "that Captain Bamford must have been aware that his prohibition was contrary to the intention of the Government to have as many Volunteers as possible at the Encampment, as intimated to him by memo. of 22/3/73, under signature of Captain Lett, as Adjutant, —supported by subsequent memo. of 2nd April and 8th April, bearing Colonel Richardson's initials, and admitted by Captain Bamford to have been in his possession on the 10th April."

7. Third instance of first charge—The Court states its opinion, "that Captain Bamford ordered the arrest of Gunner Lockyer should he appear at the Encampment, and that in obedience to such order Gunner Lockyer was placed under arrest at the Camp."

8. Fourth instance of first charge—The Court states its opinion, "that Gunner Lockyer was subsequently dismissed by Captain Bamford, and that no investigation as to the cause of his release from arrest was made by Captain Bamford previous to Gunner Lockyer's dismissal."

9. The Court do not enter into the recapitulation attached to the fourth instance of the first charge. It therefore appears useless for me to do so with your Excellency, though some of the matters there mentioned may be elsewhere referred to.

10. With regard to the second charge, the Court finds "that Captain Bamford has, on more than one occasion, in a conversational manner, used words to the effect that he would appeal to Parliament if the Colonel acted improperly with respect to Gunner Lockyer. This appears to have been said when the parties were not in uniform, with the exception of the occasion when addressing Gunner Lockyer, upon his Gunner Lockyer's telling Captain Bamford that he had obtained the Colonel's verbal permission to be present at the Encampment."

11. Having, I trust, placed clearly before your Excellency the matters laid before the Court in the charges, and the opinion of the Court as recorded thereon, I would offer a few remarks on the line of defence adopted by Captain Bamford, and the legal exceptions he has taken.

12. Captain Bamford takes exception to the competency of the Court, "that it can only be convened by authorities to whom Her Majesty has delegated the power to call Courts-martial." The local Volunteer Act would appear conclusive on this point, giving your Excellency, in section 24, full power to assemble such Court. Had there been a doubt, could it be supposed the Legislature would not have taken action when sections 64 to 68 of the Volunteer Regulations were passed? The right of the Crown, and the Commander-in-Chief as acting for the Crown, to appoint Courts of Inquiry, has been affirmed in England in the case of Home and Lord F. C. Bentinck.

13. As to "vitality of Court"—Captain Bamford objects that to create a Court express authority must be given, with all necessary details as to the material of the Court and the objects and powers. As before said, section 24 of the Act gives power to create the Court, and clauses 64 to 68 of the Volunteer Regulations, issued by the Governor with assent of Parliament, provide for its objects and powers. He objects that no Court can be held without express provision of an Act of Parliament; this one was held by authority of an Act of Parliament, but I may remark, that in England at least half the Courts of Inquiry

Inquiry held in the Military Service are held without special Acts of Parliament, by right of the Crown, as before stated, recognized in 1820, in Home and Lord F. C. Bentinck, by the Court of Exchequer Chamber, and the immemorial custom of the Army, which has never been interfered with by the Civil Courts, and is indeed, in some shape, common to the Civil Departments of Her Majesty's Service.

14. Captain Bamford objects "that in this Court of Inquiry the construction and functions of a Court-martial have been adopted." *But this Court has passed no sentence*—merely recorded an opinion as to his conduct; a very usual thing for a Military Court of Inquiry to do. In point of fact, the assimilation of its proceedings to those of a Court-martial, which is advised by authority, and by writers on Military law, has led to the evidence being all sworn testimony; to Captain Bamford's being enabled to cross-examine the witnesses; to his being allowed to object to and obtain the exclusion of depositions tendered in evidence against him; and to his being allowed to make a most lengthy and argumentative reply,—all which opportunities, enjoyed by him, obtained him every facility for the making of his defence.

15. Captain Bamford "takes exception to Captain Baynes appearing in Court, and discharging (in such a Court) the functions of a Judge Advocate, by cross-examining witnesses for the prosecution through the medium of the President." Captain Baynes was not acting as a Judge Advocate, though he might with propriety have been so appointed,—Judge Advocates in important cases before Courts of Inquiry being not unfrequently appointed. In many cases of Courts of Inquiry it is usual for the convening authority to appoint an officer acquainted with the matters to be submitted, or having the custody of records, to attend and aid the Court by his special knowledge. In the case of Courts of Inquiry held on matters connected with the Departments of the Army, such inquiries could often not be carried out were there not some person to point out the technicalities of departmental routine to the Court, and put them on the right road to prosecute their investigations.

16. Captain Bamford takes exception to the "attempted importation of depositions from a different case," referring to the proceedings of the first Court, which were tendered in evidence by Captain Baynes, and not received by the Court. That the Court did not receive this evidence seems no great cause of complaint.

17. Captain Bamford objects to the "importation into his case of letters from a different one, and to an important letter of his being *withheld*." The documents alluded to were part of no case, but official documents or letters, and memoranda, all written *before any case* was submitted to a Court of Inquiry—the official records of orders principally. Captain Bamford could have called for the production of any letter, but there is no evidence on the record of the Court that he did. As a matter of fact, the letter of the 23rd May (copy enclosed), alluded to, was the one which led to the convening of this second Court of Inquiry, with the view to give Captain Bamford every facility for replying to the matters brought against him.

18. Captain Bamford objects that the "first charge is encumbered with irrelevant matter, being the prosecutor's interpretation of certain depositions taken by a different Court in a different case." If there is irrelevant matter, it is to be supposed its want of relevancy would have prevented its doing Captain Bamford any harm. No depositions or extracts from such appear to have been admitted in evidence.

19. Lastly, Captain Bamford objects to the want of precision and accurate definition of place and time in the charges. I think your Excellency on perusing them, and noting the fact that practically the second Court investigated the same set of circumstances as the first (excepting of course the second charge), and that there does not appear in Captain Bamford's defence, or the manner in which he examined the witnesses, any trace that he in any way suffered from inability to understand the precise nature of the facts alleged against him, will find there is no warrant for this assertion; and moreover, he might have taken this exception prior to or on the assembly of the Court, he having been supplied with a copy of the charges previous to the assembly of the Court.

20. Having now placed before your Excellency the matters regarding which Captain Bamford's conduct was impugned, the opinions passed by the Court on the matters laid before it, and the legal objections taken by Captain Bamford, I proceed to call your Excellency's attention to the following facts:—

21. It appears that Captain Bamford assumed the right to prohibit the attendance of the men of his Battery at the Encampment, unless they complied with certain conditions *he* laid down. The Brigade Order, by which officers commanding corps were directed to send in the names of their men "with the least possible delay," gave no such authority; and to establish such a rule on his own authority was to give orders he had no right to give, and to act contrary to the spirit and intention of the Government in forming the Encampment. That his views were erroneous were proved to him by the memo. addressed to him by Captain Lett, on 22/3/73, and my memos. of 2/4/73 and 8/4/73.

22. Captain Lett's memo. (by order) of 22/3/73, and my memo. of 2/4/73, sent to Captain Bamford, written on the fly-leaf of the letter containing Gunner Lockyer's appeal, so sent, though the memos. themselves did not mention Lockyer's name, it was clear the memos. were to be held applicable to the particular case of Lockyer, and so indicated my directions on the subject. Memoranda of general application are never written on the back of a letter containing appeal on a special case; being written on the back of that letter, they could refer to that letter only, though of course they would have also a general application to any similar case which might afterwards arise. The former memo. of 8/4/73, as altered, as Captain Bamford subsequently acknowledges, on the afternoon of 10/4/73 (instead of 16/4/73, as altered by him), must, had the other two failed to do so, have clearly enlightened him as to my wishes, yet, instead of communicating with Gunner Lockyer and the Lieutenant in charge of the Battery at the Camp, to inform the former of the permission having been given, and the latter that the order for arrest was not to be carried out, he kept the memo. in his pocket, taking no action on it. His failing to take any action on this memo., and the tone of Captain Bamford's memo., 4/4/73, and his dismissing Gunner Lockyer without any inquiry into the latter's release by my order, all appear to me to evidence a spirit of insubordination. Again, had not Captain Bamford been actuated by an insubordinate spirit, he would, on receiving the verbal intimation from Gunner Lockyer that I had given him my permission to attend the Encampment (though the intimation was irregularly conveyed), have endeavoured officially or semi-officially to ascertain whether I had or had not given such permission, and acted accordingly. This course would seem to have been incumbent on him, seeing the large amount of work he must have known devolved on me at that time in preparing for the Camp (especially as I had virtually no Brigade-Major, Captain Baynes being fully occupied in his own department), and the great likelihood that he might not have received a more formal intimation of the leave having been accorded through oversight alone. By his persistence in refusing to be guided by superior authority he sought to counteract the efforts of the Government and the expressed wishes of his Military superior.

23. I would draw your Excellency's attention to the tone of Captain Bamford's memo., 4/4/73; to the tone of the remarks at bottom of page 16 of the defence; to the attack on Captain Baynes when performing his duty; and the very offensive nature of the remark when Captain Bamford states in his defence that he considers his word better than Gunner Lockyer's oath.

24. In reference to Gunner Lockyer's dismissal by Captain Bamford, Captain Bamford himself states, that after the application for leave to attend the Camp had been forwarded through him to me, he considered "*the matter out of his hands*," which is corroborated by his memo. of 26/3/73, and letter 18 April, 1873, yet he took the matter up again when he chose, and dismissed the man, and this without inquiry into the facts connected with his release from arrest. He considered the matter out of his hands when it was his duty to aid the intentions of the Government as to the attendance of his men at the Camp, and this in the face of memos. from superior military authority, but takes it up to perpetrate what, as before expressed by me to your Excellency, in letter of the 27th May last (73/301), I cannot but regard as an inconsistent and tyrannical act of abuse of the powers vested in him by the Legislature. It being also obvious that Lockyer having been released from arrest by superior authority, it was not competent for a subordinate to take extreme action, unless under direction of such superior authority. It does not even appear that reference was made to Major Shepherd, the Officer Commanding the Volunteer Artillery Brigade at the Camp, under whose immediate command the Volunteer Artillery (of which this Battery formed part) was.

25. With reference to the second charge, I would draw your attention to the fact that the Court state that on one occasion, when Captain Bamford used threatening language, as to bringing the matter before Parliament, he was in uniform, and addressing a gunner of his Battery. On the other occasion he seems to have been engaged in conversation (with parties in plain clothes), discussing my conduct as his superior officer with his subordinate officers and non-commissioned officers. In such a position, discussing Battery affairs with his Battery subordinates, he must be looked on as the Captain of No. 8 Battery. On the impropriety and insubordinate character of such threats so addressed, I leave your Excellency to judge. Apart from this pernicious example of insubordination to those under his immediate command, I feel it incumbent on me to record my humble opinion that reference to Parliament on particular matters affecting discipline should be discouraged until satisfaction or redress has been sought through the prescribed channel, as such references encourage resistance to responsible authority, turning every defendant into an appellant, and being destructive alike of discipline and the exercise of firm authority.

26. I would draw your attention to the fact that Captain Bamford's conduct, as wanting in a due spirit of subordination, was the subject of unfavourable comment by the late Governor, the Earl of Belmore, which was duly communicated to him; and further, that his conduct and bearing as an officer, seem to lack a proper sense of the respect due to authority.

27. Captain Bamford, on page 20 of his defence, states that some conduct, or words of mine, at an interview held with him in the year 1871, in presence of Captain Hopkins, Brigade Adjutant, Volunteer Artillery Brigade, would absolve him from the second charge. This (on perusing a memo. taken immediately after the interview by Captain Hopkins, and in his handwriting, annexed) I conclude means I gave him then a latitude of speech which I refuse him now. I fail to see how an interview of 1871 can in such a case influence decisions in 1873, and further, I do not admit that the conversation which took place at the interview in question can bear the construction which Captain Bamford has attempted to put on it.

I have, &c.,

JOHN S. RICHARDSON, Lt.-Col.,

Commandant.

*Ordered by the
Legislative As-
sembly to be
printed, 14/1/74.
J.S.R., Lt.-Col.

P.S.—The proceedings of first Court of Inquiry* are herewith enclosed, in case your Excellency may desire to refer to them, together with Captain Lett's explanation regarding certain memoranda alluded to in the proceedings of the Court.—J.S.R., Lt.-Col.

Notes of a conversation held between the Commandant and Mr. Bamford, P.A.O. Battery, 14 Sept., 1871.

THE Commandant considered the tone of Mr. Bamford's letters insubordinate, and consequently deficient of that spirit which should actuate officers of the Volunteer Force, and that he expected that support to which he was entitled from all officers under his command.

If Mr. Bamford was prepared to act in accordance with his views, the usual examination for a lieutenantancy might be waived, and he (Mr. Bamford) might at once be examined for a captaincy, otherwise he must be prepared to undergo a probation as a subaltern officer.

The Commandant also pointed out, that although he expected due support from the officers, they were at liberty to appeal to proper authority in case they had any grievance.

The cases of Captain Wells and MacDonald having been quoted, it was pointed out that these gentlemen were appointed under special circumstances—the first of these officers holding a commission at the time in the Force, and well known as a good officer; the second having formerly been in the Force, and known to, and favourably brought to notice by, Major Shepherd, upon whose sole recommendation he was appointed.

Mr. Bamford, in the course of this conversation, expressed his regret that he had listened to the advice of Major Shepherd and Captain Deane, as by what he had heard and read he could see that they were both in the wrong.

The Commandant requested that this conversation might be considered as private and confidential, to which Mr. Bamford assented, and also, as I considered, concurred in the remarks made

S. HOPKINS,

15/9/71.

No. 2.

No. 2.

MINUTE OF HIS EXCELLENCY THE GOVERNOR.

MINUTE for the Executive Council.—The case of Capt. Bamford and Gunner Lockyer.

THE facts of this case, divested of all irrelevant matter, appear to be simply as follows :—

On the 23rd January, 1873, Colonel Richardson issued a Brigade Order, calling on the officers Commanding Volunteer Corps to furnish, with as little delay as possible, returns showing the names of the officers, non-commissioned officers, and men of each Corps who were willing to attend the Camp of Instruction proposed to be formed in the following Easter holidays, from the 10th to 14th April.

On the 3rd February, Capt. Bamford, Commanding No. 8 Battery, V.A., issued a Battery Order calling on members of the Battery who intended going into Camp to give in their names to the Battery Sergeant-major on or before the 12th February.

It appears that Gunner Lockyer sent in his name through Gunner M'Kellar; but the evidence is conflicting as to whether his name was given in on or after the 12th February. His name at all events was rejected, and the evidence is again conflicting as to whether this was in consequence of his not having given in his name personally on the 12th, or whether it was in consequence of his name not having been given in by M'Kellar until after that date.

Shortly afterwards, Gunner Lockyer wrote to Captain Bamford asking that his name might be forwarded, but Capt. Bamford refused to receive it, stating that Gunner Lockyer's only resource was to apply to the Commandant.

On the 12th March, after Major Wilson's parade on that day, Gunner Lockyer, as an act of courtesy, informed Capt. Bamford that he intended to appeal to the Commandant; Capt. Bamford replied that if he did so he would be attempting to overrule his authority.

On the 13th March, Gunner Lockyer wrote to the Commandant, asking that his name might be added to the list of those who interded to attend the Encampment, sending his letter through Capt. Bamford, who endorsed on it a minute dated 14th March, giving as his reason for having refused to forward Lockyer's name that it had not been given in by the date fixed in the Battery Order. Capt. Bamford noted also on Lockyer's letter that he had been for some time an habitual absentee from drill.

On the 22nd March, after the Commandant's parade on that day, Capt. Bamford gave a general invitation to the whole Battery to attend the Camp, irrespective of the point as to whether their names had or had not been sent in in time. He made however an exception in the case of Lockyer, who was told that having applied to the Commandant he must await that officer's decision on the subject.

On the 22nd March, Mr. Lockyer's letter of the 13th to the Commandant, with Capt. Bamford's endorsement on it of the 14th, was returned to Capt. Bamford by Capt. Lett, the Adjutant of the Volunteer Artillery, with the following minute endorsed on it :—

"The Commandant thinks that as many men as possible should attend the Encampment. It was necessary that an approximate idea of the number who would be likely to attend should be given; hence the Brigade Order requesting names to be forwarded by a certain date, but it was never intended to prevent any person from attending simply because his name was not submitted in time. It is the duty of officers Commanding Batteries to endeavour to secure as large a muster as possible at the Encampment.—By order, C. LETT, Capt., Adjt., V.A., 22/3/73.

Notwithstanding this expression of the Commandant's opinion, endorsed on Gunner Lockyer's letter, Captain Bamford, on the 26th March, issued the following memo. :—

"Memo. 26/3/73.—Gunner N. Lockyer is informed that the permission granted to members of the Battery generally to join the Encampment does not apply to him. As he has applied to the Commandant on the subject he must await that officer's reply, by which he must be guided.—J. B. BAMFORD, Capt., Comd. No. 8 Battery, V.A."

On the following day (the 27th March) Captain Bamford returned Mr. Lockyer's letter, with its endorsements, to Captain Lett, requesting that it might be laid before the Commandant, assuming that this had not been done, and that Captain Lett's minute of the 22nd was unauthorized.

A week was then lost, during which the letter was being passed backwards and forwards between Captain Bamford, Majors Wilson and Shepherd, and Captain Lett, until, on the 2nd April, the authenticity of Captain Lett's minute of 22nd March, was established beyond dispute by Colonel Richardson endorsing on the letter in his own handwriting :—

"The memo. in question was written by Captain Lett after he had ascertained my views on the subject.—J.S.R., Lt.-Col., 2/4/73."

Captain Bamford then put forward a new objection, that the Commandant's views, embodied in Captain Lett's minute of the 22nd March, and endorsed upon Gunner Lockyer's letter, did not decide Gunner Lockyer's case, and on this plea he again on the 4th March returned Gunner Lockyer's letter with its various endorsements to the Commandant with the following minute written on it :—

"In this particular instance of Gunner Lockyer will the Commandant please to inform me whether he will support my authority and the authority of my Battery Order, or whether that individual's wishes are to supersede them—this being the point at issue between him and myself? I had already done my best to ensure a large attendance of No. 8 previous to Captain Lett's memo., and I expect it will be well represented.—J.B.B., Captain, No. 8, 4/4/73."

On the 8th April the letter was returned to Captain Bamford by Colonel Richardson, with the following minute attached to it :—

"Requested copy of the Battery Order referred to. I shall hold Captain Bamford responsible for any action of his which precludes any Volunteer under his command attending the Encampment.—J.S.R., Lt.-Col., 8/4/73."

This minute appears to have reached Captain Bamford on the 10th April, the day his Battery left Sydney for the Camp, and was replied to by him the same day forwarding a copy of the Battery Order of the 3rd February, called for, and observing that "Gunner Lockyer was far from deserving that an exception should be made in his favour."

In the meanwhile it appears from Gunner Lockyer's evidence that understanding from the last paragraph of Captain Bamford's memo. of 26th March that he was to apply to the Commandant for a reply to his appeal of the 13th March, he waited on that officer, and on showing him Captain Bamford's memo. of the 26th March the Commandant gave him verbal authority to attend the Camp. Of this Gunner Lockyer informed Captain Bamford at a meeting of the Battery, at Dawes' Point, on the 9th April, and asked for his decision whether he should go or not. Captain Bamford replied that he would not say

yes

yes or no; what Gunner Lockyer did would be on his own responsibility; at the same time Captain Bamford threatened that he would appeal to Parliament if Colonel Richardson interfered.

On the following day (the 10th April) the Battery left for the Camp. On that day, as has been shown, Captain Bamford was not only aware of the verbal authority given by the Commandant to Gunner Lockyer to attend the Camp, but he was also in possession of Captain Lett's minute of the 22nd March, on Mr. Lockyer's letter, and of the subsequent minutes of the Commandant on the same subject, dated 2nd and 8th April. Notwithstanding all these clear indications of the views of the Commandant, Captain Bamford not only did not withdraw his memo. to Gunner Lockyer of the 26th March, but instructed Sergeant Williams on leaving that he was to place Gunner Lockyer under arrest for disobedience of orders if he attended the Camp. Gunner Lockyer accompanied the Battery to the Camp on the 10th, and on the 11th was arrested by Sergeant Williams under Captain Bamford's orders. On reference to the Commandant, however, he was at once released and allowed to return to duty.

On the 14th or 15th the Battery returned to Sydney, and on the latter day, without any inquiry, whatever, Captain Bamford, who does not appear himself to have attended the Camp, issued a Battery Order, striking Gunner Lockyer's name off the roll of the Battery for "wilful and premeditated disobedience of his lawful command."

The foregoing is, I believe, an accurate narrative of the transactions in connection with this case in the order in which they occurred, and on an impartial review of them it appears to me impossible to arrive at any other conclusion than one unfavourable to Captain Bamford.

In the first place it was ill-judged of him to take a stand with such persistence upon the 12th February, as a date beyond which no names would be received. The object of calling for returns might have been perceived, namely, to ascertain in sufficient time, to make the necessary preparations, the number likely to attend the Encampment. It appears to me immaterial whether Gunner Lockyer's name was refused because he did not give it in personally on the 12th, or because it was not given in till some days later by M'Kellar. He, at all events, intimated his desire to attend by letter to Captain Bamford soon afterwards, and as the Encampment was not to take place for nearly two months Captain Bamford might well have added his name to the return, if it had not then been sent in to head quarters, or if it had already gone forward he might have sent the name in on a supplementary list. In refusing to do so he acted unwisely, for he was making a stand upon a point which was objectless and untenable, as he himself subsequently proved by the general invitation which he gave to the Battery five weeks later, on the 22nd March.

In the next place, Captain Bamford acted unreasonably in informing Lockyer, as he did on the 12th March, that he would view an appeal to the Commandant as an attempt to over-rule his authority, seeing that he had himself suggested that course to Gunner Lockyer as his only resource when refusing to receive his name. This appeal, nevertheless, appears to have been Lockyer's real offence, and not non-attendance at drill, or any other shortcoming; and it alone appears to have influenced Captain Bamford through all the subsequent proceedings. Indeed this is admitted by Captain Bamford in his evidence before the first Court of Inquiry, when he said—"If Lockyer had not referred to the Colonel he would have been glad to see him at the Camp."

Again, the special exclusion of Gunner Lockyer from the general invitation to attend the Camp, given to the whole Battery after parade on the 22nd March, on the ground that he had applied to the Commandant, was ill-judged and unjust. Gunner Lockyer had appealed because Captain Bamford had refused him in the middle of February, a permission which, five weeks later, Captain Bamford was prepared to grant to all others similarly circumstanced. The general invitation was an admission that the previous individual refusal was unreasonable, and to seek to punish Lockyer for appealing against an admittedly wrong decision was neither wise nor just. It is probable that Captain Bamford thought that Lockyer, who appears to have been an inefficient Volunteer, had no real desire to attend the Camp, but was merely following up the matter with a view of fighting the point with his commanding officer. Still the grounds for the original refusal were admittedly insufficient, and it was therefore certain to be over-ruled on appeal to higher authority. The wise and dignified course therefore for Captain Bamford to have pursued would have been to have made no exception to the general invitation given to the Battery on the 22nd March, and thus, without special allusion to Gunner Lockyer's name, that person's complaint would have been disposed of by the decision of the commanding officer himself on the general question, without waiting for the result of the appeal to higher authority in the individual case. Instead, however, of availing himself of such an opening for getting out of the difficulty without discredit to his authority, Captain Bamford made it almost a personal question between Gunner Lockyer and himself, whether the former should or should not be allowed to attend the Camp, thus placing himself before the whole Battery in a false position, from which it was subsequently impossible to escape without loss of dignity to himself, except by the continued capricious exercise of authority towards a subordinate.

This mistake was soon followed by others of a more serious character. The receipt of Captain Lett's minute of 22nd March could have left little real doubt in Captain Bamford's mind as to the view taken by superior authority of the insufficiency of the grounds advanced by him for refusing to allow Lockyer to attend the camp; and it must have shown him further that such refusal was in contravention of the policy of the Government. Nevertheless, Captain Bamford proceeded on the 26th to repeat in a written memo. the prohibition to attend the Camp which he had previously communicated verbally to Lockyer on the 22nd; and on the following day (the 27th) he returned Mr. Lockyer's letter to Captain Lett, requesting that it might be placed before the Commandant for his decision, assuming that the minute upon the letter had not been authorized by the Commandant. I can see no reasonable grounds for such an assumption. The minute began, "The Commandant thinks" and was signed by order. When however this objection was disposed of by Colonel Richardson's memo. of the 2nd April, Captain Bamford then raised another; that Gunner Lockyer's particular case was not disposed of by Captain Lett's minute. Now, considering that the matter referred to the Commandant was embodied in a letter addressed to him by Mr. Lockyer—that Captain Bamford had, in forwarding that letter, endorsed on it as the reason for refusing to forward Lockyer's name, that it had not been received in time—and that the Commandant had returned Lockyer's letter with the expression of his opinion endorsed on it "that it was never intended to prevent any person from attending, simply because his name was not submitted in time"—it appears to me that the plea that the reply of the Commandant did not decide Lockyer's case is simply absurd. In short I can only conclude that Captain Bamford's endorsements on Mr. Lockyer's letter, subsequent to Captain Lett's minute of the 22nd March, were

were mere pretexts for delay, so as to enable him to postpone withdrawing his prohibition to Mr. Lockyer to attend the Camp until the Battery had left, and thus either prevent his attending, or be able to dismiss him for disobedience in the event of his being present.

It appears to me that Captain Bamford was guilty of grave impropriety in issuing his written prohibition to Gunner Lockyer, on the 26th March, after the receipt of Captain Lett's memo. of the 22nd, and whatever uncertainty he may possibly have felt at that time as to the authenticity of that memo. he can have had no doubt whatever on the 10th April, when the Battery left for the Camp, as to the opinion entertained by the Commandant as to his treatment of Gunner Lockyer. With the Commandant's minutes of the 2nd and 8th April before him, and the communication made to him by Gunner Lockyer on the 9th, he must have known on the 10th April, beyond all doubt, that it was the Commandant's opinion that Gunner Lockyer should be allowed to attend the Camp. Nevertheless, he allowed the Battery to leave without withdrawing his prohibition of the 26th March, and further instructed Sergeant Williams to arrest Lockyer, if he appeared at the Camp, for disobedience of orders. Throughout these proceedings Captain Bamford appears to me to have acted capriciously and vindictively towards his subordinate, and in opposition to the clearly expressed opinions of his superior officer, of which he was thoroughly cognizant. The subsequent summary dismissal of Gunner Lockyer, without any inquiry, and without affording him any opportunity for defence, was a further flagrant abuse, by Captain Bamford, of the authority vested in him as commanding officer.

The second charge against Captain Bamford, of using threatening language towards Colonel Richardson, his superior officer, appears to have been fully established. From a military point of view, it is doubtless a proceeding of a very unsoldierlike and insubordinate character for an officer to threaten, in the presence of a subordinate, to take ulterior proceedings against his superior officer, if he should think it necessary to differ with him in opinion; but Volunteers have here so often been allowed, without reproof, and with perfect impunity, to seek a remedy for adverse military decisions in Parliamentary interference, that it is scarcely to be wondered at that Captain Bamford should have announced his intention of adopting a similar course. What is more surprising is that Captain Bamford should have failed to perceive the inconsistency of his conduct. He was censuring his own subordinate for not silently acquiescing in an admittedly unreasonable decision of his commanding officer, and at the same time announcing his own determination to appeal to Parliament against his own immediate superior, if that officer should fail to support him in the untenable position which he had taken up.

Upon a review of Captain Bamford's conduct from first to last in this case, it appears to me that he has shown a want of judgment and justice in dealing with his subordinate, and an absence of loyal submission to superior authority, which together prove him to be unfit to be entrusted with the command of a Battery, and I am of opinion that his services in that capacity should be dispensed with.

25th August, 1873.

HERCULES ROBINSON.

No. 3.

Minute of the Executive Council.

(Min. 73-111.)

1 September, 1873.

HIS Excellency the Governor lays before the Council a Minute Paper which he has prepared on the case of Captain Bamford and Gunner Lockyer, of No. 8 Battery, Volunteer Artillery, setting forth the history of the case, and the conclusions arrived at by His Excellency.

2. The Council having carefully considered the Minute Paper referred to, concur in the views expressed by His Excellency, and advise that Captain Bamford's services as Commanding Officer of No. 8 Battery of Volunteer Artillery be dispensed with.

Approved.—H.R., 4/9/73.

ALEX. C. BUDGE,
Clerk of the Council.

No. 4.

HIS EXCELLENCY THE GOVERNOR TO LIEUT.-COLONEL RICHARDSON.

Sir,

Government House, Sydney, 4 September, 1873.

I HAVE received your letter (73/448) of the 8th ultimo, forwarding the proceedings of two Courts of Enquiry, and other papers, in connection with the cases of Captain Bamford and Gunner Lockyer, of No. 8 Battery of Volunteer Artillery.

It appears to me that Captain Bamford has throughout the proceedings in this case shown a want of judgment and justice in dealing with his subordinate, and an absence of loyal submission to superior authority which prove him unfit to be entrusted with command.

I have laid all the papers in the case before the Executive Council, who concur in this view, and have advised me that Captain Bamford's services as Commanding Officer of No. 8 Battery should be dispensed with.

I have accordingly to request that you will take the necessary steps for giving effect to this decision.

I have, &c.,
HERCULES ROBINSON.

No. 5.

Brigade Major to Major Shepherd.

Sir,

Brigade Office, Sydney, 6 September, 1873.

I HAVE the honor, by direction of the Commandant, to forward for your information the accompanying copy of a letter received from His Excellency the Governor, dispensing with the further services of Captain James Bromley Bamford, Officer Commanding No. 8 or P.A.O. Battery of the Brigade, under your command, together with a copy of the Brigade Order on the subject, and to request you will be pleased to cause Mr. Bamford to be apprised accordingly.

I have, &c.,
W. B. B. CHRISTIE, Capt.,
Major of Brigade.

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No. 6.

Brigade Office, Sydney, 6 September, 1873.

Brigade Order.—No. 132.

2. His Excellency the Governor, with the advice of the Executive Council, is pleased to dispense with the further services of Captain James Bromley Bamford, Officer commanding No. 8 or "Prince Alfred's Own," Battery, Volunteer Artillery Brigade.

By command,
W. B. B. CHRISTIE, Capt.,
Major of Brigade.

No. 7.

Mr. J. B. Bamford to Lieut.-Colonel Richardson.

Sir, 32, Francis-street, Enmore, 25 Sept., 1873.

I HAVE the honor to request you will oblige me with a copy of the finding and opinion, or remarks (if any), of the recent Court of Inquiry into my conduct, in order that I may be enabled to proceed without delay to prosecute an appeal which I am about to make relative to the extreme measures adopted against me.

I have, &c.,
J. B. BAMFORD,
Late Capt. Com. No. 8, or P.A.O.B., V.A.

No. 8.

Brigade Major to Mr. J. B. Bamford.

Sir, Brigade Office, Sydney, 25 September, 1873.

I AM directed to acknowledge the receipt of your letter of this day's date, and to inform you that the proper course for you to adopt in reference thereto is to apply to the Honorable the Colonial Secretary.

I have, &c.,
W. B. B. CHRISTIE, Capt.,
Major of Brigade.

No. 9.

Lieutenant Nixon to Major Shepherd.

Sir, Wellington-street, Kingston, Newtown, 29 Sep., 1873.

HAVING a doubt in my mind as to the propriety of acceding to Mr. Bamford's wish, viz., reading his letter of the 25th to the Battery, I beg respectfully to enclose the same, to know if I have permission to do so; under the circumstances I felt that such a proceeding on my part would be likely to mislead the Battery and implicate me.

I have, &c.,
FREDERICK NIXON,
Lieut., commanding, 8 Battery.

Forwarded for information of Commandant, whose direction I respectfully solicit in this matter.—P.L.C.S., Major, Com. V.A., 29/9/73.

The Commandant considers that Lieut. Nixon has acted with propriety in referring this matter. Mr. Bamford having had his services dispensed with by His Excellency has no *locus standi* whatever in the Volunteer Force. The reading on parade therefore of any communication from him would be highly improper and unsoldierlike.—By command, W. B. B. CHRISTIE, Capt., Major of Brigade, 30/9/73.

For Lieut. Nixon's information.—P.L.C.S., Major, Com. V.A., 3/10/73. Forwarded.—W.W., Major, V.A., 3/10/73. For Mr. J. B. Bamford's information.—FRED. NIXON, Lieut., 8 Batt., V.A., 3/10/73.

Nos. 10 & 11.

LETTER from Mr. Bamford to Lieut. Nixon, 25/9/73, requesting it might be read to the Battery at drill,—which letter had for its object to stop the filling up of the Captaincy of No. 8 Battery; in view of his re-instatement to such command, returned to Major Shepherd, with minute (on Lieut. Nixon's letter), dated 30/9/73, under blank cover.

N.B.—Application has been made for the return of this letter, but, it is stated by Mr. Bamford, the letter in question has been mislaid.

17/1/76.

J.S.R., Lieut.-Col.

No. 12.

Mr. J. B. Bamford to Major Shepherd.

Sir, 32, Francis-street, Enmore, 31 March, 1874.

I HAVE the honor to request you will ascertain and inform me whether the Commandant's Brigade order, dated 6th. September, 1873, is to be taken as dispensing with my services in the Volunteer Force altogether, or only with my services as Captain of No. 8 or P.A.O. Battery. I write through you in the ordinary

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ordinary course, being of opinion that the latter is the case, and therefore that I am still a member of the V. A. Force, under your command?—in which case I have been improperly set down as “dismissed” in the returns of No. 8 or P.A.O. Battery.

I have, &c.,

J. B. BAMFORD,
(Late Capt. Commanding No. 8, or P.A.O. Battery, V.A.)

Will the Commandant kindly instruct me in this matter?—P. L. C. S., Major, Com. V.A., 13/4/74.

No. 13.

Mr. J. B. Bamford to Major Shepherd.

Sir,

32 Francis Street, Enmore, 28 April, 1874.

NOT having received any reply to my former communication, on the same subject, I beg again to request you will inform me whether B. O., 3rd September, 1873, is to be understood as removing me from *command* of Prince Alfred's Own Battery *only*—still leaving me a member of the same, as I see has been the case with Captain Rossi; and, if so, that you will cause the Returns of that Battery to be amended accordingly, in which (as I have been informed) I am represented as “dismissed.”

I have, &c.,

J. B. BAMFORD,
(Late Capt. Com. No. 8, or P.A.O. Battery, V.A.)

Forwarded for information of Commandant: Will the Commandant kindly enable me to satisfy Captain Bamford on this point?—P. L. C. S., Major, Com., V. A., 30/4/74.

No. 14.

LIEUT.-COLONEL RICHARDSON TO HIS EXCELLENCY THE GOVERNOR.

Your Excellency,

Brigade Office, Sydney, 15 April, 1874.

ON the 4th September, 1873, you were pleased, upon the proceedings of two Courts of Inquiry which had been forwarded to you, to “dispense with the services of Captain Bamford as commanding officer of No. 8 Battery, Volunteer Artillery Brigade.”

2. The question has arisen whether this was intended to be an absolute dismissal from the Volunteer Force, or only from the command of No. 8 Battery. Regarding this point I would wish your Excellency's instructions.

3. In the recent case of Captain Rossi, of the Goulburn Corps, that officer, though dismissed from command, was allowed, on his own special application, to continue in the Corps as a private; but in his case dismissal from the command of the Corps seems to have been awarded rather from his want of tact and judgment as commanding officer than from any such specific acts, as in Captain Bamford's case called for submissions from your Excellency as to Captain Bamford's want of judgment and justice, and absence of loyal submission to superior authority.

4. I cannot but consider it exceedingly inadvisable that, in such cases as Captain Bamford's, the person dismissed from his rank as an officer should be allowed to remain as a private, both because it would seem to imply that an offence which would in all probability secure dismissal from the force in the case of a private, will not have that effect in the case of an officer, and because the retention in the ranks of dismissed officers is calculated to exercise a very prejudicial effect, indeed, upon discipline.

5. I may further remark that to allow an officer, deprived of his commission, to continue his services as a private, would be contrary to military usage and precedent.

I have, &c.

JOHN RICHARDSON,
Commandant.

No. 15.

MINUTE OF HIS EXCELLENCY THE GOVERNOR.

COL. RICHARDSON,—The decision of the Executive Council was “that Captain Bamford's services as *Commanding Officer* of No. 8 Battery of Volunteer Artillery be dispensed with.” In effect this was equivalent to a sentence that he be reduced to the ranks; and I can see no objection to his being allowed to give his services to the public as a private, so long as he conducts himself properly in that capacity. He has shown himself to be unfitted for command, but he may make a very efficient private.—H. R., 20/4/74.

No. 16.

Brigade Major to Major Shepherd.

Sir,

Brigade Office, Sydney, 1 May, 1874.

WITH reference to a letter from Mr. Bamford, lately commanding No. 8 Battery Volunteer Artillery Brigade, dated the 31st March, 1874, and forwarded by you on the 13th April last, I am directed by the Commandant to acquaint you, for the information of Mr. Bamford, and that of the officer commanding No. 8 Battery, that the Brigade Order dispensing with Mr. Bamford's services had reference to his services as Captain only, and left it optional for him to remain in No. 8 Battery as a gunner, or to quit the service altogether.

I have, &c.,

W. B. B. CHRISTIE, Capt.,
Major of the Brigade.

No. 17.

J. B. Bamford to The Officer Commanding No. 8 or P.A.O. Battery, Volunteer Artillery.

Sir,

32, Francis-street, Enmore, 4 May, 1874.

I HAVE the honor to bring under your notice, and to request you will be good enough to forward to the Officer Commanding, my respectful solicitation that B. O., dated 3rd September, 1873, may (should

(should the Commandant view it in the same light as myself) be rescinded, inasmuch as I think it would appear to remove me, not from the command only of No. 8 or "Prince Alfred's Own" Battery—which a letter from the Brigade Office, dated 1st May, 1874, and written "by command," states to have been its intention—but from the Volunteer Force altogether.

I have &c.,

J. B. BAMFORD, &c.

Forwarded, 4/5/74—FRED. NIXON, Lieut., 8 Battery V.A. Forwarded for consideration of Commandant.—P.L.C.S., Major, Com., V.A., 4/5/74.

The Commandant considers it unnecessary to rescind the Brigade Order referred to, inasmuch as the exact meaning of that Order has been made a matter of special communication, and Mr. Bamford fully informed as to its meaning.—By Command, W. B. B. CHRISTIE, Capt., Major of the Brigade, 13/5/74.

No. 18.

Mr. J. B. Bamford to The Officer Commanding No. 8 or P. A. O. Battery, V.A.

Sir,

32, Francis-street, Enmore, 11 May, 1874.

I HAVE the honor to request you will be so good as to forward this letter to the proper quarter at your *earliest* convenience, as no reply has reached me to my communication of the 4th instant, begging that B. O., 3rd September, 1873, might be rescinded, because its effect is to remove me from the Force, contrary to the Commandant's intention, as explained in his letter, dated 1st May, 1874.

I respectfully point out, that until the B.O. so dismissing me, be rescinded, I am precluded from the discharge of my duties by being unable (under section 47, Vol. Act) to wear the uniform of any Vol. Corps, under liability to a "penalty not exceeding ten pounds" for each time I might so wear it; and I am not only anxious to resume my drills and duties generally, but more particularly so with reference to the ensuing encampment, because the difficulties occasioned me by circumstances connected with the last at "Ham Common," cause me to remember the Commandant's opinion, that as many men as possible ought to attend such means of instruction.

I have, &c.,

J. B. BAMFORD, &c.

Forwarded to the Officer Commanding Left-Wing, V.A.—FRED. NIXON, Lieut., 8 Bat., V.A., 13/5/74. Forwarded for the information of the Commandant.—P.L.C.S., Maj., Com. V.A.—15/5/74.

A memo. was issued from the Brigade Office on the 13th May, (written on Mr. Bamford's letter of the 4th May), stating that the Commandant did not consider it necessary to rescind the order referred to, as in a letter addressed to Major Shepherd on 1/5/74; that Officer, as Commanding the Volunteer Artillery Brigade, was informed of Mr. Bamford's actual position, and as it is to be presumed that the contents of that letter were made known to the Officer Commanding No. 8 Battery (it having been stated in that letter that the communication was sent for *his* information as well as that of the Officer Commanding Volunteer Artillery Brigade), the Commandant can see no reason for supposing that any person concerned is likely to misunderstand Mr. Bamford's position.—By Command, W. B. B. CHRISTIE, Capt., Major of Brigade, 18/5/74.

No. 19.

Mr. J. B. Bamford to The Officer Commanding No. 8 or P. A. O. Battery, V.A.

Sir,

32, Francis-street, Enmore, 28 May, 1874.

I HAVE the honor to acknowledge receipt of the Commandant's Memo., dated 18th instant, reiterating his opinion that it is unnecessary to rescind B.O. of 6th September, 1873, because no person concerned is likely to misunderstand my position.

2. I respectfully submit this is not the point involved, the question being rather (particularly in view of my service being counted for a Land Order) am I a volunteer or not? this further depending upon the effect of a B.O. I think I may safely affirm that a B.O. is a military law. Thus I have by a military law been removed from the Volunteer Force. Does it not then follow as a matter of course that the same high authority must be resorted to for my replacement, either by repealing the law, or by enacting another. I respectfully submit—yes; and that an argument based upon the sufficiency of an explanation to contradict a law, must be unsound, and that, therefore, the explanation on the letter of 1st May, instant, being exactly the reverse of the Brigade Order removing me, (which is in clear indisputable language, admitting of no doubt), would appear to be in this case inapplicable.

3. I trust the Commandant will do me the kindness to reconsider my case, when I feel assured he will do me the justice I seek by rescinding the Brigade Order referred to, or issuing another replacing me.

I have, &c.,

J. B. BAMFORD.

Forwarded to Officer Commanding Left-Wing.—FRED. NIXON, Lieut. Commanding No. 8 Battery, V.A.—29/5/74. Forwarded.—P.L.C.S., Major, Commanding V.A., 30/5/74.

No. 20.

Brigade Major to Major Shepherd.

Sir,

Brigade Office, Sydney, 8 June, 1874.

I AM directed by the Commandant to acknowledge the receipt of a letter from Mr. Bamford, dated 28th ult., and to state with reference thereto, and more especially to para. 2, that Mr. Bamford himself states in his letter of the 31st March, 1874, that he is of opinion that the Brigade Order, which he has requested may be rescinded, only dispensed with his services as Captain; this opinion the Commandant concurred in, and conveyed in B. M. letter of 1st May, 1874. Mr. Bamford now in his letter of the 28th May last, asserts the order to mean his absolute dismissal from the Volunteer Force.

If Mr. Bamford suffered any wrong by not being recognized in No. 8 Battery, that wrong should at once have been brought to the knowledge of the Commandant by Mr. Bamford in the usual manner; as soon as the Commandant was informed by Mr. Bamford's letter of the 31st March, that there was any question

question as to Mr. Bamford's position, a memo. was forwarded for the information of the Officer Commanding the Volunteer Artillery Brigade and the Officer Commanding No. 8 Battery, to avoid the possibility of a mistake.

The Commandant having thus done everything to place Mr. Bamford's position in a proper light, begs to decline any continuation of this correspondence.

I have &c.,
W. B. B. CHRISTIE, Captain,
Major of Brigade.

No. 21.

Brigade Major to Major Shepherd.

Memo. Brigade Office, Sydney, 24 June, 1874.

MAJOR Shepherd is requested to be good enough to return Mr. Bamford's letters of 4th and 11th May, 1874, with minutes thereon, having reference to his request that the Brigade Order in his case might be cancelled.

By Command,
W. B. B. CHRISTIE, Captain,
Major of Brigade.

Lieut. Nixon will be good enough to return letters referred to without delay.—P.L.C.S., Major, Com., V.A., 24/6/74. Mr. Bamford will attend to this immediately.—FRED. NIXON, Lieut.-Com., 8 Batt., V.A., 25/6/74. Copies forwarded herewith.—J.B.B., 26/6/74. Forwarded to Officer Comd. V.A. direct. Urgent.—FREDK. NIXON, Lieut., 8 Batt., 26/6/74. Forwarded, with copies of correspondence required.—P.L.C.S., Major, Com., V.A., 26/6/74. The Commandant requests the originals of these letters may be returned.—By command, W. B. B. CHRISTIE, Capt., Maj. of B., 29/6/74. Forwarded for information of Lieut. Nixon and Mr. Bamford.—P.L.C.S., Major, Com., V.A., 1/7/74. Forwarded to Mr. Bamford.—FRED. NIXON, Lieut., 8 Batt., V.A., 2/7/74. My Volunteer papers are kept in the office of a friend now *out of town*, and his return uncertain. On his return, *probably* within a month or six weeks, I shall have access to them.—J.B.B., 2/7/74. Forwarded to Officer Commanding, V.A.—FRED. NIXON, Lieut., Com. 8 Batt., 2/7/74. Forwarded.—P.L.C.S., Major, Com. V.A., 3/7/74.

No. 22.

LIEUT.-COLONEL RICHARDSON TO HIS EXCELLENCY THE GOVERNOR.

Your Excellency, Brigade Office, Sydney, 6 July, 1874.

I HAVE the honor to submit for your consideration a petition from Gunner J. B. Bamford, No. 8 Battery, Volunteer Artillery Brigade, praying for re-instatement as Captain in command of said Battery.

The circumstances connected with this case being, no doubt, fresh in your Excellency's memory, render it unnecessary for me (unless specially called upon) to offer any remarks.

I have, however, with reference, to the last portion of Major Shepherd's memo. 23/6/74, to observe, that I think it would be highly inexpedient to grant the interview sought, as such would be an infringement of the prescribed channel of communication, and contrary to the usage of the service; and I am further of opinion that, in justice to all concerned, the numerous extenuating circumstances referred to should, if entertained, form a portion of the correspondence of the case.

I beg leave to enclose for your Excellency's information, copy of the correspondence that has taken place on the subject of Mr. Bamford's position in No. 8 Battery.

I have, &c.,
JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

[Enclosure in No. 22.]

TO His Excellency Sir Hercules George Robert Robinson, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander in Chief of the Colony of New South Wales and its Dependencies, and Vice-Admiral of the same.

THE Humble Petition of the undersigned James Bromley Bamford, lately Captain Commanding "No. 8" or "Prince Alfred's Own" Battery, Volunteer Artillery.

RESPECTFULLY SHOWETH:—

That your Excellency having been made aware that opportunity had not been afforded to your Petitioner in a matter then lately pending to clear up some circumstances relating to himself, your Excellency was pleased to direct the assembling of a Court of Inquiry to enable your Petitioner to explain his conduct in the matter.

That in lieu thereof, by some inadvertence, a Court of Inquiry to try your Petitioner upon several charges then preferred against him was assembled.

That the Report of the Court your Petitioner humbly submits was not wholly unfavourable, and your Excellency was therefore pleased to direct that your Petitioner should only be deprived of his command, whereas your Petitioner has been dismissed the Volunteer Service altogether by Brigade Order, as follows. "His Excellency the Governor with the advice of the Executive Council is pleased to dispense with the further services of Captain James Bromley Bamford, Officer Commanding No. 8 or "Prince Alfred's Own" Battery, Volunteer Artillery Brigade."

That your Petitioner has applied to have the Order rescinded, that your Excellency's direction might be carried out.

That such application has been refused on the ground that the Order left it optional to your Petitioner to remain in or leave the Force, although your Petitioner was officially notified, apart from the Order, that he had been dismissed the Volunteer Force, and had forfeited all Volunteer rights and privileges.

That your Petitioner humbly submits that in the face of the Order and Notification, no option is left to your Petitioner of remaining in the Force.

That the charges which were preferred against your Petitioner contained nothing disgraceful.

That

That your Petitioner whilst in command of his Battery, bestowed a great deal of time and attention on his duties, and believes his Battery to be one of the best drilled and disciplined in the Brigade, and is assured that the Officers and men would be glad if your Petitioner were reinstated.

Your Petitioner, therefore, humbly prays that your Excellency will be pleased to take these circumstances into your Excellency's consideration, particularly the increased punishment under which your Petitioner is labouring, and re-consider your Excellency's direction in the case, with a view to the reinstatement of your Petitioner in his command.

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

J. B. BAMFORD.

I have the honor to certify that James B. Bamford, late Captain Volunteer Artillery, displayed great zeal and ability while in command of his battery, and both officers and men in the Force have often highly complimented him as to the efficient state of the same, and for the praiseworthy manner in which he always discharged his military duties, shewing great experience as an officer.

I can testify to his ability and gentlemanly conduct, during the time I was under his command, and I should only be too glad as well as the officers and men under my command, to have him reinstated to his old position as Captain of Prince Alfred's Own Battery, V.A.—FRED. NIXON, Lieut. Com. P.A.O. Battery, V.A., 9/6/74.

Forwarded to the Officer commanding Volunteer Artillery. The Petitioner possesses much practical ability as an Officer, and I hope the Petition will be favourably received.—W. WILSON, Major, V.A., 9/6/74.

I would take it as a special favour if the Commandant would join me in recommending the prayer of this Petition. I should be thankful were I through the Commandant's kind co-operation to regain an officer whom I esteem so highly, both as a thorough gentleman and for the military good qualities which I know him to possess—an officer moreover, the loss of whose services is (I am fully aware) still felt and deeply regretted by the officers and men of his battery. Should there be any official obstacle to the Commandants complying with this request, I wish he would kindly obtain me an interview with His Excellency, for there are I think numerous extenuating circumstances which I might lay before him better personally than otherwise, and which might lead him to a favourable reply to this Petition.—P.L.C.S., Major Com. V.A., 23/6/74.

If Mr. Bamford considers, as stated in his letters of the 3rd March, that he still belongs to the Volunteer Force, this Petition may be returned for transmission to His Excellency the Governor, if not, Mr. Bamford should observe the course usually followed by civilians.—By command, J.S.R., Lt.-Col., Commandant, 23/6/74.

Forwarded for information of Lieutenant Nixon and Mr. Bamford.—P.L.C.S., Major Com. V.A., 26/6/74. Forwarded to Mr. Bamford for his information.—FRED. NIXON, Lieut. Com. 8 Battery, V.A., 26/6/74.

I confess I am at a loss, having in view His Excellency's minute, which would seem merely to remove me from my command, leaving me still a Captain without a command, and the Brigade Order removing me (as I understand it) from the Force altogether, to say whether I am in the Force or not. This is exactly the point that I wish to arrive at. I must apologize for having so far presumed as to offer my opinion. It would appear, by the Commandant having returned this petition through the military channel that he has decided that I am in the Force. May I then humbly beg that he will forward the Petition to His Excellency with a good word in my favour (if it may be).—J.B.B., 26/6/74. Forwarded to Major Commanding V.A. direct.—FREDERICK NIXON, Lieut. Com. 8 Battery, V.A., 26/6/74. Forwarded.—P.L.C.S., Major Com. V.A., 26/6/74.

The position accorded by His Excellency the Governor to Mr. Bamford is that of a gunner, and if he is prepared to accept the same he will be pleased to state so; if not, I can have nothing to do with the transmission of this petition to His Excellency.—J.S.R., Lt.-Col., Commandant.

Forwarded for information of Lieutenant Nixon and Mr. Bamford.—P.L.C.S., Major Com. V.A., 1/7/74. Forwarded for Mr. Bamford.—FREDERICK NIXON, Lieut. 8 Battery, V.A., 2/7/74.

I now for the first time learn that His Excellency has degraded me from my rank, but so far as depends on me, I beg to submit myself as unreservedly to His Excellency's orders as I would to those of Her Most Gracious Majesty whom he represents. The Brigade Order is the only thing which cuts me off from the privilege of doing so, by removing me from the Force. Such being my sentiments, I respectfully request the Commandant will forward (and I trust generously recommend) my Petition.—J. B. B., Gunner No. 8, V.A., 2/7/74.

Forwarded to Officer Commanding V.A.—F. NIXON, Lieut., 2/7/74. Forwarded.—P.L.C.S., Major Com. V.A., 3/7/74.

No. 23.

MINUTE OF HIS EXCELLENCY THE GOVERNOR.

COLONEL RICHARDSON—The decision of the Ex. Council in Mr. Bamford's case was that his services as Comg. Officer of No. 8 Battery should be dispensed with. I can see no grounds whatever for reconsidering that decision, and must decline to do so. Major Shepherd's request is, in effect, that I should discuss the propriety of my decision in this case with a subordinate. I need scarcely add, that I cannot assent to such an extraordinary and irregular suggestion.

The decision of the Ex. C. left it open to Mr. Bamford to continue to serve in the ranks or not, as he saw proper; and I can see nothing in the Brigade Order, now that its precise meaning has been explained, to prevent his rejoining the Company as a private, should he feel disposed to adopt that course. A perusal of the correspondence which has passed on this subject confirms my opinion as to the correctness of the decision of the Ex. C. in this case.—H.R., 8/7/74.

No. 24.

Lieut.-Colonel Richardson to Major Shephard.

Sir,

Brigade Office, Sydney, 9 July, 1874.

I HAVE the honor to state, with reference to to the petition of Gunner Bamford, No. 8 Battery, Volunteer Artillery Brigade, that His Excellency the Governor sees no ground whatever for re-considering the decision arrived at.

His

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His Excellency has also been pleased to point out that the decision of the Executive Council left it open to Mr. Bamford to continue to serve in the ranks or not as he saw proper, and His Excellency can see nothing in the Brigade Order (now that its precise meaning has been explained), to prevent Mr. Bamford rejoining the Battery as a gunner, should he feel disposed to adopt that course.

I have, &c.,
J. S. RICHARDSON, Lt.-Col.,
Commandant.

No. 25.

Lieut.-Colonel Richardson to Major Shepherd.

Sir,

Brigade Office, Sydney, 9 July, 1874.

I HAVE the honor to inform you with reference to your expressed desire for a personal interview with His Excellency the Governor, in the matter of the petition of Gunner Bamford, No. 8 Battery of the Brigade under your command, that His Excellency cannot assent to a suggestion which he considers to be extraordinary and irregular.

I have, &c.,
J. S. RICHARDSON, Lt.-Col.,
Commandant.

No. 26.

Major Shepherd to Lieut.-Colonel Richardson.

Sir,

Volunteer Artillery Office, Sydney, 9 July, 1874.

I HAVE the honor to acknowledge the receipt of your letter of to-day's date, mentioning that His Excellency considers my suggestion of an interview with him extraordinary and irregular.

In self-defence I beg leave to explain. On the 30th September, 1873, being some three weeks after date of the Brigade Order, by which Captain Bamford was removed from the Force, you forwarded through me a memo. containing these words: "Mr. Bamford having had his services dispensed with by His Excellency has no *locus standi* whatever in the Volunteer Force."

It would appear that His Excellency had been similarly informed, for I find in his letter of 21st November, 1873, the expression, "Mr. Bamford being now no longer in the service."

Again, you write under date of 15th December, 1873, to Mr. Bamford in these terms, "having ceased to belong to the Volunteer Force, any communication you have to make should be sent to the Honorable the Colonial Secretary."

The Brigade Order (6th September, 1873), therefore meant originally, and for eight months after its promulgation, was admitted to mean, or at least no explanation appears to have been given Mr. Bamford to the contrary, that he had been removed altogether from the Force, and your recent letter (1st May last) was the first intimation to the contrary, and would seem to contradict your former assertions, as well as that of His Excellency, where it states thus, "the Brigade Order dispensing with Mr. Bamford's services had reference to his services as Captain only, and left it optional for him to remain in No. 8 Battery."

I did not desire, if I could have avoided it, to write on this subject, and would more willingly have explained it to His Excellency personally, having in view, however, the opinion which you informed me His Excellency entertained as to my suggestion of an interview, I have no alternative, in justice to myself, but to make the present statement, and I trust you will oblige me so far as to forward this letter for His Excellency's perusal, when I trust he will see if I erred in requesting an interview that I did so from a good motive.

I have, &c.,
P. L. C. SHEPHERD, Major,
Com. Vol. Artillery.
V. A. B.

No. 27.

LIEUT.-COLONEL RICHARDSON TO HIS EXCELLENCY THE GOVERNOR.

Your Excellency,

Brigade Office, Sydney, 10 July, 1874.

WITH reference to my letter 74/388 of the 6th instant, and to your Excellency's reply thereto, I have the honor to forward for your consideration the accompanying letter from Major Shepherd, regarding his request for an interview with your Excellency, on the subject of the petition of Gunner Bamford to be re-instated as Captain of No. 8 Battery, Volunteer Artillery Brigade.

I have, &c.,
JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

No. 28.

MINUTE OF HIS EXCELLENCY THE GOVERNOR.

LIEUTENANT-COLONEL RICHARDSON,—I fail to perceive the relevancy of Major Shepherd's explanation. Mr. Bamford applied to be re-instated as Captain. Major Shepherd in supporting the application asked for an interview so as to explain personally some extenuating circumstances in Mr. Bamford's case. I declined to re-open or discuss a question which had been decided and disposed of, and Major Shepherd, as he states in self-defence, explains in writing what he wished to submit personally; but the points stated cannot be considered as extenuating circumstances, having all occurred subsequent to Mr. Bamford's removal from his command. However, it appears to me unnecessary to continue the correspondence, and the papers may be "put by." The Brigade Order, no doubt, was not sufficiently explicit, but Mr. Bamford knows now that he may serve in the ranks or not as he pleases. The decision of the Executive Council merely deprived Mr. Bamford of his command. It did not reduce him to the ranks; but it left it optional with him to rejoin again as a gunner, *on application*, if he desired to do so—and, failing such application, it would naturally have been supposed that he did not intend to avail himself of this option, and that

that he was, as remarked in my letter, "no longer in the service." If Mr. Bamford's object in the present correspondence is to explain that he failed to make this application at once, on his removal from the command, through the defective wording of the Brigade Order, and that there should not, in consequence, be any break in the continuity of his service, I think such a view is fair and reasonable, and that he should be considered to have rejoined the Battery as a gunner at once on his removal from the command. But it must be obvious that these misapprehensions, *subsequent* to his removal, constitute no ground whatever for his reinstatement.—H. R., 11/7/74.

No. 29.

Brigade Major to Major Shepherd.

Sir,

Brigade Office, Sydney, 13 July, 1874.

I AM directed by the Commandant to acknowledge the receipt of your letter of the 9th instant, referring to His Excellency the Governor's expression of opinion as to an interview you desired to have with him, and to inform you that your letter has been forwarded to His Excellency in the usual manner.

I have, &c.,

W. B. B. CHRISTIE, Capt.,
Major of Brigade.

No. 30.

LIEUT.-COLONEL RICHARDSON TO HIS EXCELLENCY THE GOVERNOR.

Your Excellency,

Brigade Office, Sydney, 21 July, 1874.

I HAVE the honor to forward herewith a petition from Gunner J. B. Bamford, lately commanding No. 8 Battery, Volunteer Artillery Brigade, on which I would observe that the minute of your Excellency in Executive Council would appear to be the document which legally defines Mr. Bamford's position, rather than the Brigade Order complained of; also that such minute of your Excellency having made it optional with Gunner Bamford to leave the Volunteer Force or remain in it as a gunner, it became his duty, if he wished to remain as a gunner, to make application to that effect. The first application of any kind made by him was some seven months after the date of your Excellency's decision in the case, making inquiry as to the purport of the Brigade Order in question; and within a few days after the receipt of this application of Gunner Bamford, a letter was written, by my direction, to the Officer Commanding the Volunteer Artillery Brigade, defining Gunner Bamford's actual position, for the information of all concerned. This letter will be found with the documents enclosed (74/219, from Major of Brigade, dated 1st May, 1874.)

I can see no real ground for supposing that the Brigade Order referred to has injured, or is likely to injure Gunner Bamford in any way whatever, your Excellency's original minute and subsequent memoranda appearing to have so defined his position, as to have left him no ground for complaint.

I have, &c.,

JOHN RICHARDSON, Lt.-Col.,
Commandant.

[Enclosure in No. 30.]

To His Excellency SIR HERCULES GEORGE ROBERT ROBINSON, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of New South Wales and its Dependencies, and Vice-Admiral of the same.

The Petition of the undersigned James Bromley Bamford, late Captain Commanding Number Eight, or "Prince Alfred's Own," Battery Volunteer Artillery.

Respectfully sheweth:—

That your petitioner having been by an Executive minute removed from the command of No. 8, or "Prince Alfred's Own" Battery, by some inadvertence the Brigade Order giving effect to this minute removed your petitioner from the Volunteer Service altogether.

That, although an explanation has been kindly afforded your petitioner, to the effect that it was not intended by the Brigade Order to remove your petitioner altogether from the Force, and that he was at liberty to remain in it,—yet your petitioner has been advised that a question may hereafter arise, if this Order be not rescinded, whether any service he may render can be legally held as service entitling your petitioner to his land order, thereby exposing your petitioner to serious pecuniary loss.

Your petitioner therefore humbly begs that such relief may be afforded him in the premises as to your Excellency may seem fit, so that your petitioner, without the liability of having legal difficulties in his way, may reap the reward of his Volunteer efficient service.

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

J. B. BAMFORD.

Forwarded.—Fred. Nixon, Lieut. Commanding 8 Battery, V.A., 16/7/74. Forwarded.—P.L.C.S., Major Comg., V.A., 18/7/74.

No. 31.

MINUTE OF HIS EXCELLENCY THE GOVERNOR.

COLONEL RICHARDSON,—I concur. Mr. Bamford may be informed that, the meaning of the Brigade Order having been explained and placed on record, I see no necessity for rescinding it.—H.R., 22/7/74.

No. 32.

Lieut.-Colonel Richardson to Major Shepherd.

Sir,

Brigade Office, Sydney, 22 July, 1874.

I HAVE the honor to request you will be pleased to cause Gunner Bamford, No. 8 Battery of the Brigade, under your command, to be informed, with reference to his last petition, that His Excellency the Governor is of opinion that the meaning of the Brigade Order in question having been explained and placed on record, he sees no necessity for rescinding the same.

I have, &c.,

J. S. RICHARDSON, Lt.-Col.,
Commandant.

No. 33.

No. 33.

Brigade Major to Major Shepherd.

Sir, I AM directed by the Commandant to acknowledge the receipt of a letter dated the 15th instant, from Gunner Bamford, No. 8 Battery, relative to the recent nomination to the post of Major in the Volunteer Artillery Brigade, and to acquaint you, for his information, that the Commandant can see therein no reason for questioning the nomination recently made.

I have, &c.,
W. B. B. CHRISTIE, Captain,
Major of Brigade.

No. 34.

LIEUT.-COLONEL RICHARDSON TO HIS EXCELLENCY THE GOVERNOR.

Your Excellency, I HAVE the honor to forward herewith minutes of a meeting held at the Volunteer Artillery Brigade Office, on the 15th instant, for the purpose of nominating a successor to the vacancy caused by the resignation of Major Clarke, of that Brigade. I also forward three protests against the validity of the nomination then made, sent in by Captain Deane, Lieut. Talbot, and Gunner Bamford. The protest of the first-named hinges on the claims to vote preferred by Lieutenant Talbot and Gunner Bamford. Lieut. Talbot's is based on the fact that he some time since passed the usual Captain's examination. Gunner Bamford maintains that Your Excellency's decision on his case, as notified in letter from Your Excellency of 4th September, 1873, to this Department, left him still a Captain, though unattached, and so entitled to vote.

I cannot consider these protests as entitled to consideration—Lieut. Talbot not holding a Captain's commission, and Gunner Bamford having been deprived of his commission as Captain by Your Excellency's decision above referred to. I have therefore to recommend that the promotion of Captain Wells to the rank of Major be confirmed.

I have, &c.,
J. S. RICHARDSON, Lieut.-Colonel,
Commandant.

[Enclosure 1 in No. 34.]

Captain Cooper to Major Shepherd.

Sir, I HAVE the honor to forward you minutes of meeting held this day, in pursuance of Brigade Order of 1st October instant, for the election of a Major.

I have, &c.,
WILLIAM COOPER, Captain,
Chairman of Meeting.

Forwarded for information of Commandant.—P.L.C.S., Major, Com. V.A., 16/10/74.

Brigade Office, Sydney.

AT a meeting held this day, at half-past four o'clock in the afternoon, there were present Captains Cooper, Wells, MacDonald, Deane, Beverley, Fahey, and Boake.

Captain Cooper took the chair. Mr. J. B. Bamford (late Captain No. 8 Battery) claimed to vote—the Chairman over-ruled the claim, on the ground of his services as Captain of No. 8 Battery having been dispensed with by His Excellency the Governor.

Lieutenant Talbot claimed to vote—the Chairman overruled the claim, on the ground of his not yet holding a Captain's commission.

Captain MacDonald moved, and Captain Fahey seconded:—"This meeting considering that three Batteries would be virtually disfranchised by proceeding to the election of a Major to-day, respectfully represent the same to the Commandant, with a request that the meeting be adjourned until a day within the ensuing three months, when those three batteries may be represented in such election." The motion was put and negatived.

The Chairman read a letter from Captain Deane, of date 12th October, advising his candidature.

Captain Beverley proposed Captain Wells. The meeting then proceeded to vote by ballot.

Captains Beverley and Fahey were desired to act as scrutineers, and reported Captain Wells elected.

The Chairman thereupon declared Captain Wells duly elected.

The Acting Adjutant was in attendance.

WILLIAM COOPER, Captain,
Chairman of Meeting.

Dated, 15th day of October, 1874.

[Enclosure 2 in No. 34.]

Captain Deane to Major Shepherd.

Sir, I HAVE the honor to protest against the election of Captain F. Wells to the rank of Major of the Volunteer Artillery Brigade, caused by the resignation of Major Clarke, on the following grounds:—1st, that Lieutenant Talbot attended the meeting for the election of Major of the Volunteer Artillery Brigade, and claims the right to vote or become a candidate for such rank, as he had passed the necessary examination for his Captaincy some nine months ago. This vote or privilege the Chairman (Captain Cooper) refused. 2nd, that Captain Bamford attended such meeting and claimed the privilege to vote, at the same time producing his Commission as Captain. The Chairman refused to accept his vote, stating as his reason that he (Captain Bamford) had been gazetted as dismissed, which I believe not to be the case.

In consequence of the Chairman's thus ruling, two votes were not recorded which might have produced a different result.

I have, &c.,
HENRY DEANE, Captain.

[Enclosure 3 in No. 34.]

Lieutenant Talbot to Major Shepherd.

Sir,

Wool Stores, Circular Quay, 16 October, 1874.

I HAVE the honor to request that no effect may be given to the result of the election of Major which took place yesterday, pending an appeal which I intend making to His Excellency relative to the grounds on which my application for permission to participate in the same was refused, the extreme peculiarity of my case notwithstanding.

It appears to me very hard that the mere absence of the piece of parchment should preclude me from the privileges of a Captain's rank, for which I was *ordered up* and passed examination in December, 1873, particularly as the Officer Commanding Volunteer Artillery has made in my case the "same favorable mention to Head Quarters" as is usual in such cases (see Major Shepherd's memo. 13/4/74), and the Commandant would appear to approve of my promotion, judging by the following memos. of his, 25/10/73 and 28/5/74, which run respectively as follows.

"The Commandant would be acting unjustly towards the Battery were he to sanction any further delay in filling this vacancy. Lieutenant Talbot must be brought forward for examination without delay, being of opinion that Lieutenant Talbot has cause of complaint and that the interest of No. 2 Battery has been injuriously affected by the extreme delay in filling up the vacancy of Captain, which vacancy occurred in September, 1871. I consider it my duty to bring the matter under the notice of His Excellency the Governor, &c., &c."

I have, &c.,

P. TALBOT, Lieutenant,
No. 2 Battery, V.A.

Forwarded for information and consideration of the Commandant.—P.L.C.S., Major, Com. V.A., 16/10/74.

[Enclosure 4 in No. 34.]

Mr. J. B. Bamford to Major Shepherd.

Sir,

32, Francis-street, Enmore, 15 October, 1874.

I HAVE the honor to forward a complaint that my claim to vote at the election of Major this afternoon was refused by Captain Cooper as chairman, on the ground that my commission as Captain had been "cancelled," and myself dismissed.

I informed Captain Cooper that nothing of the kind had ever been done, but he adhered to his ruling.

I respectfully point out that my *command* was taken from me, but *not* my *rank* in the Brigade, which I retain by virtue of a Commission under the Government seal still in force.

I would beg leave further to point out that the Government *Cancels* an officer's commission when his *rank* is to be forfeited, as in the recent case of Mr. Anderson, formerly lieutenant in No. 2 Battery, and doubtless the same course would have been adopted by Government in deciding my case in Sept., '73, had the intention been to deprive me of my *rank*, my commission however, was not touched in any way.

It is true that deprived of my *command* I could not possibly work out my land order as Captain, and am therefore compelled to adopt the only alternative, viz., to do so as a gunner by special permission of His Excellency; but this is merely a pis-aller, and cannot affect the fact that I retain the substantive rank of "Captain" by virtue of a commission *under seal, still current*.

It appears clear then, that my privilege to vote has been denied me unjustly, and on false premises, and consequently *all* the votes not having been taken, that the election is null and void, and I humbly request that it may be declared to be so, and that my vote may be taken at a subsequent one.

I have forwarded this letter direct, it being important for you to be acquainted with its contents without any loss of time.

I have, &c.,

J. B. BAMFORD, Capt., V.A.,

By special authority, Acting-Gunner No. 8, or P.A.O. Battery.

Forwarded for information and consideration of the Commandant.—P.L.C.S., Major, Com. V.A., 16/10/74.

No. 35.

Brigade Order, No. 189.

Brigade Office, Sydney, 18 November, 1874.

3. The following appointment having appeared in the *Government Gazette* of the 17th instant, is published for the information of the Volunteer Force, viz. :—

"Colonial Secretary's Office, Sydney, 16th November, 1874.

His Excellency the Governor, with the advice of the Executive Council has been pleased to appoint
CAPTAIN FREDERICK WELLS
to be a Major in the Volunteer Artillery Brigade.

HENRY PARKES."

By Command,
W. B. B. CHRISTIE, Capt.,
Major of Brigade.

No. 36.

LIEUT.-COLONEL RICHARDSON TO HIS EXCELLENCY THE GOVERNOR.

Your Excellency,—

Brigade Office, Sydney, 18 November, 1874.

I have the honor to forward a petition from Gunner James Bromley Bamford, No. 8 Battery, Volunteer Artillery Brigade, and with reference thereto to inform Your Excellency that, as stated in paragraph 3 of the same, I declined to entertain the petitioner's request, being of opinion that when (as
in

in the Imperial Service) the Crown sees fit to dispense with the services of an officer, he, *ipso facto*, ceases to hold a commission. The terms of the appointment in the *Government Gazette* are as follows:—

“Gunner JAMES BROMLEY BAMFORD to be Captain of No. 8 or “Prince Alfred’s Own” Battery.”

I have, &c.,
JOHN S. RICHARDSON, Lieut.-Col.,
Commandant.

[Enclosure in No. 36.]

To His Excellency SIR HERCULES GEORGE ROBERT ROBINSON, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of New South Wales and its Dependencies and Vice-Admiral of the same.

The Petition of the undersigned Captain James Bromley Bamford, late Commanding No. 8, or “Prince Alfred’s Own” Battery Volunteer Artillery,—

Respectfully Showeth:—

1. That your Petitioner holds a commission as Captain of Volunteer Artillery, and by virtue thereof and under authority of a Brigade Order, attended to vote at a recent election of Major.

2. That the Chairman of the election meeting refused to allow your Petitioner to vote, alleging that your Petitioner had been “dismissed” and his commission “cancelled,” which your Petitioner denied.

3. That your Petitioner forthwith reported this injustice to the Commandant, praying redress, who refused to entertain your Petitioner’s complaint, apparently (judging by the tone of his letter on the subject) because he regarded your Petitioner not as a Captain but as a gunner.

4. That it is manifest your Petitioner cannot be a gunner, such a position being incompatible with the rank of Captain presently belonging to your Petitioner by virtue of his commission.

5. That your Petitioner, having been some time since deprived of his command by your Excellency and the honorable Executive Council conjointly, would by that act have been rendered incapable of “working” for his Land Order; but your Excellency was pleased to remove this disability by permitting your Petitioner to do so by discharging the duties of a gunner.

6. That your Petitioner thankfully accepted the alternative which your Excellency offered him, and has since that time “worked as” a gunner with a view to his Land Order, but with no intention of relinquishing the substantive rank of Captain, assigned him by his commission; and of which your Petitioner humbly submits he can lawfully be dispossessed only by cancellation in the event of his ever being guilty of disgraceful conduct unbecoming the character of an “officer” and a “gentleman,” or of some flagrant or criminal act duly proved before a competent Court.

7. That until your Petitioner is found guilty of such charges (should such ever be brought against him), and such sentence of cancellation be confirmed against him, your Petitioner, having due regard to his honor, declines to be placed on a level with those who may have been so convicted and sentenced, by silently acquiescing in being degraded from his rank.

That your Petitioner therefore humbly begs that your Excellency will be pleased to direct, in consideration of the premises, that the recent election of Major in the Volunteer Artillery be declared to be null and void, and a new one be ordered to take place, in order that your Petitioner be allowed to exercise his privilege of standing as a candidate, or voting at such new election of Major.

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

J. B. BAMFORD.

Forwarded.—FREDERICK NIXON, Lieut., 8 Battery, V.A., 13/11/74.
Major, Com. V.A., 14/11/74.

Forwarded.—P.L.C.S.,

No. 37.

MINUTE OF HIS EXCELLENCY THE GOVERNOR.

COLONEL RICHARDSON,—I decline to comply with the prayer of this petition. Mr. Bamford is not a Captain in the Volunteer Artillery, having ceased to hold that position when his services were dispensed with by the Governor and the Executive Council, as Commanding Officer of No. 8 Battery.

H.R., 21/11/74.

No. 38.

Brigade Major to Major Shepherd.

Sir,

Brigade Office, Sydney, 23 November, 1874.

I AM directed to inform you, with reference to a petition from Gunner Bamford, No. 8 Battery Vol. Art. Brigade, which petition was submitted to His Excellency the Governor, that His Excellency declines to comply with the prayer of such petition, inasmuch as Mr. Bamford is not a Captain in the Volunteer Artillery, having ceased to hold that position when his services were dispensed with by the Governor and the Executive Council as Commanding Officer of No. 8 Battery.

I have, &c.,

W. B. B. CHRISTIE, Capt.,
Major of Brigade.

No. 39.

Copy of Minute of the Honorable the Colonial Secretary on Commandant’s letter 75/212, dated 12 May, 1875, regarding efficiency for Mr. Bamford, viz.:—

“It is not clear why the case is to be treated exceptionally, and a land order grant authorized without an efficiency certificate; some further explanation appears indispensable—19/5/75.

Might have further report from Commandant.”

J.R., 20/5/75.

Lieut.

Lieut.-Colonel Richardson to Colonial Secretary.

Sir,

Brigade Office, Sydney, 28 May, 1875.

IN accordance with your minute 20/5/75, calling for further report on matter contained in correspondence herewith returned, I have the honor to inform you that on the 4th September, 1873, His Excellency the Governor notified to me by letter that the Government had advised that "Captain Bamford's services as Commanding Officer of No. 8 Battery should be dispensed with," and requested me to give effect to that decision, which I accordingly did by Brigade Order of the 6th September, 1873, as follows:—

"His Excellency the Governor, with the advice of the Executive Council is pleased to dispense with the further services of Captain James Bromley Bamford, officer commanding No. 8 or 'Prince Alfred's Own,' Battery, Volunteer Artillery Brigade."

Some six months afterwards a correspondence ensued, having for its object to elicit the intention of the Government as conveyed in His Excellency's letter, above quoted, and the effect of the B. O.

Reference having been made, His Excellency explained that the "decision of the Executive Council merely deprived Mr. Bamford of his command; it did not reduce him to the ranks, but it left it optional with him to rejoin as a gunner, *on application*, if he desired to do so, and failing such application it would naturally have been supposed that he did not intend to avail himself of this option, and that he was, as remarked in my letter, no longer in the Service."

"If Mr. Bamford's object in the present correspondence is to explain that he failed to make this application at once, on his dismissal from the command, through the defective wording of the Brigade Order, and that there should not, in consequence, be any break in the continuity of his services, thinks such a view is fair and reasonable, and he should be considered to have rejoined the Battery as a gunner at once on his removal from the command."

From this I gather that Captain Bamford was dismissed from his command and therefore from the Force altogether, inasmuch as his status in the Force was determined and specified by the terms of his commission, viz., "to be Captain of No. 8, or 'Prince Alfred's Own' Battery," the cancellation therefore of such commission left him no further status whatever in the Force; the intention, however, of the Government, as subsequently explained, was to have allowed him the option of *rejoining* as a gunner, *on application*; this he failed to do at the time, possibly because the particular phraseology of the Brigade Order did not afford him any clue as to such option, and therefore, in the opinion of the Government, he should not thereby suffer.

In conclusion I may explain that personally I had no idea as to the intentions of the Government on this point until the explanation was afforded some months after, as no such precedent exists either in Military Law or custom as that of allowing an officer deprived of his commission the option of practically reverting to a subordinate rank. A new precedent was therefore created in this case by the decision of the Government, and as will be seen the terms in which this decision was originally conveyed failed to indicate this to me, or to explain that any departure from the usage of the Imperial service was intended, although such was subsequently so explained.

I have, &c.,

J. S. RICHARDSON, Lt.-Col.,
Commandant.

No. 40.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

Tuesday, 1st June, 1875.

(7.) The Case of Captain Bamford:—*Mr. Farnell*, on behalf of Mr. Cameron, asked the Colonial Secretary, pursuant to Notice,—

- (1.) Did His Excellency's Minute in the case of Captain Bamford, Volunteer Artillery, authorize that Officer's removal altogether from the Volunteer Force?
- (2.) If not, under what authority did the Commandant, by Brigade Order, so remove him?
- (3.) Has His Excellency since explained that Captain Bamford's removal was not intended by him?
- (4.) Has the Commandant notwithstanding refused to rescind the Brigade Order?
- (5.) Has the Commandant granted Captain Bamford the usual Certificates of Efficiency for the years 1873 and 1874?

Mr. W. Forster answered,—

- (1.) His Excellency's Minute, written by him as Commander-in-Chief, and laid before Parliament on 14th January, 1874, gave no instructions in the matter; but his letter to the Commandant of the 4th September, 1873, also laid before Parliament on the same day, directed that "Captain Bamford's services as Commanding Officer of No. 8 Battery should be dispensed with."
- (2.) The Brigade Order of 6th September, 1873, laid before Parliament as above, was issued, notifying that the Governor, *with the advice of the Executive Council*, "dispensed with the further services of Captain James Bromley Bamford, officer commanding No. 8 or Prince Alfred's Own Battery, Volunteer Artillery Brigade."
- (3.) His Excellency has since explained to the Commandant his view of the decision, and that it merely deprived Mr. Bamford of his command. It was not intended to reduce him to the ranks and thus compel him to serve in that capacity, but to leave it optional with Mr. Bamford to rejoin as a Gunner on application, if he desired to do so. He did not so apply.
- (4.) Yes, the Brigade Order, in the Commandant's opinion, not being inconsistent with the Governor's Minute.
- (5.) No, because the Commandant did not consider Mr. Bamford entitled to them, in consequence of non-performance of drills and want of service. The special circumstances connected with the matter are under the consideration of the Government.

No. 41.

No. 41.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

Friday, 4th June, 1875.

- (6.) The Case of Captain Bamford:—Mr. Cameron asked the Colonial Secretary, pursuant to Notice,—
 - (1.) Did the omission from the Brigade Order of the words in the Executive Minute and in His Excellency's Letter "as Commanding, &c.," remove Captain Bamford not only from his command but erroneously altogether from the Volunteer Force?
 - (2.) Was it the Commandant's intention so to remove Captain Bamford altogether?
 - (3.) If so, by what authority?
 Mr. W. Forster answered,—
 - (1.) Mr. Bamford's removal from the Volunteer Force appears to have been a necessary consequence of his removal from the command of the No. 8 Battery, his only status by commission in the Force at the time.
 - (2.) It was the intention of the Commandant to carry out the instructions of the Government.
 - (3.) The Commandant acted upon the authority of the Government in the matter.

No. 42.

VOTES AND PROCEEDINGS OF LEGISLATIVE ASSEMBLY.

Wednesday, 9th June, 1875.

- (8.) The Case of Mr. Bamford:—Mr. Cameron asked the Colonial Secretary, pursuant to notice,— Did the Commandant notify to Mr. Bamford that he was to apply for permission in case he desired to serve as a Gunner; and if so, on what date was the notification written. Mr. W. Forster answered,—The Commandant, as soon as he himself was made aware of the intention of the Government, notified the same to Mr. Bamford, under date 1st May, 1874.

No. 43.

LIEUT.-COLONEL RICHARDSON TO HIS EXCELLENCY THE GOVERNOR.

Your Excellency, Brigade Office, Sydney, 10 November, 1875.

I HAVE the honor to forward herewith certain correspondence relative to the filling up of the vacancy in the command of No. 8 Battery, Volunteer Artillery, caused by the dismissal of Captain Bamford from the command of that battery in September, 1873, by your Excellency in Executive Council.

Major Shepherd, commanding the Volunteer Artillery Brigade, as your Excellency will observe, has not recommended Lieutenant Myles for promotion to the rank of Captain and command of No. 8 Battery, Volunteer Artillery. Seeing that the vacancy has existed for over two years, and that Lieut. Myles has passed the necessary examination as to his fitness for promotion, I beg to recommend that this appointment be made and the vacancy caused by the removal of Captain Bamford in 1873 filled up.

Together with Major Shepherd's memorandum, in which he declines to recommend Lieut. Myles, I forward a letter from Gunner Bamford protesting against Lieutenant Myles' appointment.

In conclusion, I would point out to your Excellency how much the difficulties of command become increased when in this, as some time previously in Captain Talbot's case, Major Shepherd declined to afford me assistance in carrying out the duties entailed by the decision of the Government.

I have, &c.,
JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

[Enclosure in No. 43.]

Mr. J. B. Bamford to Major Shepherd.

Sir, V.A. Office, 2 September, 1875.

I have the honor with reference to B.O., 14th instant, directing the examination as Captain of Lt. C. H. Myles, No. 8 Battery, to protest against the appointment of that officer to the command of the Battery alluded to, pending a reference which I am about to make to the Legislature of the Colony regarding the manner of my removal from that position.

I may say that I shall be prepared to bring evidence before a Committee of the House, which should have the effect of replacing me.

I have, &c.,
J. B. BAMFORD, G., No. 8.

Forwarded.—FRED. NIXON, Lieut. Commanding 8 Batt. V.A., 2 Sept., /75. Forwarded for information of Commandant.—P.L.C.S., Major, Com. V.A., 8/9/75.

No. 44.

Major Shepherd and others to The Major of Brigade, Sydney.

Volunteer Artillery Office, 19 October, 1875.

WE certify that Lieutenant Chas. H. Myles, No. 8 Battery, Acting-Lieutenant Josiah Henry Walker, No. 10 Battery, and Gunner James Sven Wigram, No. 2 Battery, have been examined by us as to their fitness for promotion to the rank of Captain in No. 8 Battery and appointment to the rank of Lieutenant in No. 10 and No. 2 Batteries Volunteer Artillery.

We also certify that they hold certificates as efficient in the Volunteer Artillery, bearing date 1st January, 1875, and that they have passed a satisfactory examination.

P. L. C. SHEPHERD, Major, Com. V.A.,
WATSON WILSON, Major, VA.,
FREDERICK WELLS, Major, V.A., } Examiners.

It

It is requested that this certificate may be made out on the form appearing in appendix C, page 41, Volunteer Regulations, as this certificate does not state a satisfactory examination has been passed. When forwarding it, perhaps Major Shepherd will kindly note his recommendation or otherwise of Myles's promotion. If the Board consider the examination passed by the other two candidates whose names are noted herein to have been satisfactory, their nomination can now be proceeded with.—By command, W.B.B.C., Captn., Major of Brigade, 22/10/75. Officer Com. V.A.B.

I trust the amended form will be satisfactory, as otherwise there may be some considerable further delay, as I understand Major Wells is again out of town, and I am not aware of his whereabouts.—P.L.C.S., Major, Com., V.A., 26/10/75.

No. 45.

Brigade Major to Major Shepherd.

Memo.

Brigade Office, Sydney, 4 November, 1875.

WITH reference to the certificate of the examination of Lieutenant Myles, No. 8 Battery, Acting-Lieutenant J. H. Walker, No. 10, and Gunner J. S. Wigram, No. 2 Battery, the former for promotion to the rank of Captain, and the two latter to the rank of Lieutenant, it is requested the Officer Commanding V.A. Brigade will be good enough to say whether he recommends the promotion of Lieutenant Myles.

The nomination of the other candidates can be proceeded with.

By Command,

W. B. B. CHRISTIE,

Capt., Major of Brigade.

Would the Commandant please advise whether, in his opinion, and bearing in mind Mr. Bamford's official notification of appeal to the Legislature regarding the manner of his removal from the command of No. 8 Battery, with a view to his restoration to the same, I can consistently with my action in a previous instance somewhat analogous to the present case, and also consistently with strict justice, make a recommendation to Mr. Bamford's prejudice in this matter before his appeal has been heard.—P.L.C.S., Major, Com. V.A., 6/11/75.

No. 46.

MINUTE OF HIS EXCELLENCY THE GOVERNOR.

COLONIAL SECRETARY,—I think Lieut. Myles' appointment as Captain and Commanding Officer of No. 8 Battery may now be brought before the Executive Council.—H.R., 14/11/75.

Minute for Executive Council to be approved.—JOHN R., 20/11/75. Herewith, 22nd.

No. 47.

Minute Paper for the Executive Council.

Colonial Secretary's Office, Sydney, 22 November, 1875.

Appointment of Captain of No. 8 Battery, Volunteer Artillery.

I ADVISE that effect be given to the enclosed recommendation of the Commandant, by the appointment of Lieutenant Myles to be Captain of No. 8 Battery, Volunteer Artillery.

JOHN ROBERTSON.

The Executive Council advise that the appointment herein recommended be approved.—ALEX. C. BUDGE, Clerk of the Council.

Approved, H.R.,—29/11/75. Min., 75/59, 29/11/75. Confirmed, 6/12/75. Commission herewith for signature.—7 Dec.

No. 48.

Brigade Order, No. 193.

Brigade Office, Sydney, 15 December, 1875.

1. The following appointment, having appeared in the *Government Gazette* of the 14th instant, is published for the information of the Volunteer Force, viz. :—

“Colonial Secretary's Office, Sydney, 11 December, 1875.

“His Excellency the Governor, with the advice of the Executive Council, has been pleased
“to appoint Lieutenant Charles Henry Myles, No. 8 Battery, Volunteer Artillery, to be
“Captain thereof.

“JOHN ROBERTSON.”

2. With reference to para. 1 of this day's Brigade Order, Captain Myles will, in assuming command of No. 8 Battery, Volunteer Artillery, take over from Lieut. Nixon the whole of the arms, accoutrements, clothing, &c., &c., the property of the Government, in possession of the battery, and forward to this office through the Officer Commanding Vol. Art. Brigade, without delay, the usual mutual certificates of the transfer.

By Command,

W. B. B. CHRISTIE,

Captain, Major of Brigade.

2.—EFFICIENCY.

No. 49.

Mr. J. B. Bamford to Major Shepherd.

Sir, 32, Francis-street, Enmore, 4 August, 1873.
I HAVE the honor with reference to the second half-yearly inspection of my Battery, ordered for the 23rd instant, to request that such final inspection (my presence at the same being essential to my efficiency for this year) may not take place until the decision of Government has terminated my present suspension from military duty, and it becomes known whether or no I am to be free to attend it, since otherwise I am made the subject of a penalty which may be inconsistent with the intentions of Government with reference to my case.

As only two months have elapsed since the first half-yearly inspection (from attending which I was debarred by the same suspension now continuing) it may perhaps not be vitally important for the second to follow it so immediately as to inflict on me a serious and certain injury, whilst the intentions of Government affecting the fact (and which may be favorable to me) remain unexpressed.

I have, &c.,
J. B. BAMFORD, Capt.,
Commanding No. 8, or P.A.O. Batt., V.A.

Forwarded.—W.W., Major, V.A., 7/8/73.

I have struck out the memo. in Captain Letts' handwriting as I prefer making my own comments on correspondence passing through my hands. I can see no objection to Captain Bamford's request being granted, and beg to recommend that the inspection of No. 8. Battery be deferred until after his case has been decided. I make this recommendation on the ground that Captain Bamford was in arrest at the time of the last inspection, and should he be denied the opportunity of attending on the next occasion he will be precluded from obtaining his certificate for this year. I may also state that no officer in the force has brought a greater degree of energy to bear on his duties than Capt. Bamford.—P.L.C.S., Major, Com. V.A., 8/8/73.

No. 50.

Commandant's Minute.

It is most probable that the decision of His Excellency the Governor will be promulgated before the date in question, if not Capt. Bamford shall have an opportunity of appearing at an inspection.—J.S.R., Lieut.-Col., Com., 12/8/73, B.C.

No. 51.

Letter from Lieut. Nixon, No. 8 Battery, (not dated), regarding efficiency of Gunner Bamford for the year 1873, returned to Major Shepherd under blank cover, 23/7/74, with following minute, viz. :— "How is it that Lieut. Nixon certifies Gunner Bamford attended an inspection."—J. S. R. RICHARDSON, Lt.-Col., Commandant, 23/7/74.

N.B.—Application has been made for the return of this letter, but not yet complied with.—J.S.R., Lt.-Col., 17/1/76.

No. 52.

Mr. J. B. Bamford to Lieut. Nixon, Commanding No. 8 Battery, V.A.

Sir, 32, Francis-street, Enmore, 20 July, 1874.
I HAVE the honor to request that you will be good enough to sign enclosed certificate of my efficiency for last year, and get it countersigned and returned to me. I beg to explain that there was no shot practice for the force last year, which is accordingly struck out, and that I was suspended from military duty at the time the two inspections occurred, so that I was precluded from the possibility of attending either. I wrote to the Commandant on the subject on the 4th August, 1873, i.e. nineteen days prior to the second inspection, requesting it might be postponed until Government had decided my case and it should become known "whether or no I was free to attend it." The Commandant replied by memo. 12/8/73, as follows :—"It is most probable that the decision of His Excellency the Governor will be promulgated before the date in question, if not Captain Bamford shall have an opportunity of appearing at an inspection."

His Excellency's decision was not promulgated until the 6th September, 1873, and no opportunity of appearing at an inspection was afforded me up to the end of the year. As I did all in my power to obtain the privilege of being inspected, I trust the inspection will be allowed.

I have, &c.,
J. B. BAMFORD.

Forwarded to Officer Comg. V.A.—FRED. NIXON, Lieut. Comg. 8 Batt., V.A., 21/7/74.
Forwarded for consideration of Comdt.—P.L.C.S., Major, Comg. V.A., 22/7/74.

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No. 53.

Lieut.-Colonel Richardson to The Colonial Secretary.

Sir,

Brigade Office, Sydney, 28 July, 1874.

I HAVE the honor to forward the accompanying letter from Gunner Bamford, No. 8 Battery, Volunteer Artillery Brigade, applying for a certificate of efficiency for the year 1873, and, under the circumstances of the case, to recommend for your approval, that I may be authorized to issue a certificate of efficiency to Gunner Bamford for those months in 1873, during which he was actively serving with his battery, he having performed the relative proportion of drills required for efficiency for that period.

I have, &c.,

J. S. RICHARDSON, Lt.-Col.,

Commandant.

For authority to issue a certificate of efficiency to Gunner Bamford for 1873. Submitted, 30/7/74.
Approved, H.P.,—29/10/74.

No. 54.

Letter from Lieut. Nixon, No. 8 Battery, dated 17 August, 1874, regarding the efficiency of Gunner Bamford for 1873, returned to Major Shepherd under blank cover 22nd August, 1874, with the following minute, viz:—The granting of the certificate alluded to has been referred to the Government, when a reply has been received, a communication will be sent.—By Command, W.B.B.C., Capt., Major of Brigade, 21/8/74. N.B.—Application has been made for the return of this letter, but not yet complied with.—J.S.R., Lt.-Col., 17/1/76.

No. 55.

The Principal Under Secretary to Lieutenant-Colonel Richardson.

Sir,

Colonial Secretary's Office, Sydney, 30 October, 1874.

IN reply to your letter of the 28th July last, submitting an application from Gunner Bamford of No. 8 Battery, Volunteer Artillery Brigade, for a certificate of efficiency for the year 1873, I am directed to inform you that the Colonial Secretary approves of your issuing a certificate of efficiency to Gunner Bamford, as you suggest, for those months in 1873 during which he was actively serving with his Battery, he having performed the relative proportion of drills required for efficiency for that period.

I have &c.,

HENRY HALLORAN.

No. 56.

Memo.

Brigade Office, Sydney, 30 January, 1875.

Major Shepherd is requested to be good enough to forward to this Office, with as little delay as possible, a memo. of the period covered by the 5 months certificate of efficiency forwarded to him under blank cover on the 11 November last, for Gunner Bamford.

JOHN S. RICHARDSON, Lt.-Col.,

Commandant

No. 57.

Major of Brigade to Major Shepherd.

Memo.

Brigade Office, Sydney, 11 February, 1875.

MAJOR Shepherd's attention is drawn to the Commandant's memo. of the 30th ultimo, calling for a memo. of the period covered by the 5 months Certificate of Efficiency forwarded to him under blank cover on 11th November last, for Gunner Bamford, and to the fact that no reply has yet been received.

By Command,

W.B.B.C., Captain,

Major of Brigade.

Lieut. Nixon will be good enough to return memo. referred to, at his earliest convenience.—P.L.C.S., Major, Com. V.A., 30/1/75. Forwarded to Gunner Bamford for the required information.—FRED NIXON, Lieut., Com. 8 Batt. V.A., 13/2/75. I applied for a certificate of efficiency for the year 1873, which was duly signed by the Commandant and forwarded to me. The 5 months merely indicate the period occupied in *putting in the drills*—as a matter of business arrangement these certificates pass out of my hands as soon as received, I therefore write from memory, having no means of reference.—J.B.B., Gr. 8 or "P.A.O." Batt., 15/2/75. I requested Gunner Bamford to afford the information desired by the Commandant, and forward an answer in the above statement received this day.—FRED NIXON, Lieut. Com., 8 Batt. V.A., 18/2/75. To the Officer Comg. Vol. Art. Forwarded for information of Commandant.—P.L.C.S., Major, Com. V.A., 19/2/75.

No. 58.

Gunner Bamford to Lieut. Nixon.

Sir,

V. A. Office, 19 March, 1875.

I HAVE the honor to request I may be favored with information whether the substitution by the Commandant of the words "five" and "eight" for the word "twelve," in my Efficiency Certificates for the years 1873 and 1874 respectively, is intended to convey that the twelve months intervening between the expiration of the five months of 1873 and the commencement of the eight months of 1874 constitute a broken period of service, thereby vitiating my claim to count towards a Land Order any service prior to the last eight months of 1874, and if so on what grounds?

2. The Commandant did not in either of my previous certificates interfere with the word "twelve," and his having done so in the instances at present under notice is calculated, I fear, to do me serious damage, in default of some satisfactory explanation.

3. These Certificates for '73 and '74, however, may quite possibly be intended in each instance to stand good for the entire twelve-month, so far as efficiency is concerned, and the *substituted periods* be merely intended to indicate those occupied in putting in the drills in each of those years; and I respectfully beg the Commandant will be good enough in his reply to remove all doubt upon the subject.

I have, &c.,
J. B. BAMFORD,
Gunner No. 8 or "P.A.O." Batt. V.A.

Forwarded to Officer Commanding V. A.—FRED. NIXON, Lieut., Com. 8 Batt. V. A., 23/3/75.
Forwarded for information of Commandant.—P. L. C. S., Major, Com. V.A., 23/3/75.

No. 59.

ARTILLERY VOLUNTEER CORPS.
Certificate of Efficiency.

We hereby certify:—

- (1.) That Mr. J. B. BAMFORD, of No. 8 Battery, Volunteer Artillery, has attended, during the five months ending the 31st May, 1873, nineteen drills, ordered by the Commanding Officer.
- (2.) That he possesses a competent knowledge of Squad and Company Drill, including the Manual and Platoon Exercises, and also of Gun Drill.
- (3.) That he possesses a competent knowledge of the general duties of a Gunner.
- (4.) No opportunity of Inspection was afforded him.
- (5.) That he has been through the required course of Musketry Instruction.

Sydney, 1st January, 1874.

FRED. NIXON, Lieut.,
Commanding No. 8 Battery Volunteer Artillery.
JOHN S. RICHARDSON, Lieut.-Col., Commandant,
Volunteer Permanent Staff.

How is it that Lieut. Nixon certifies Gunner Bamford attended an inspection?—J. S. R., Lieut.-Col., Comdt., 23/7/74. Forwarded for information of Lieut. Nixon. P. L. C. S., Major, Com. V.A. 24/7/74.

Through inadvertence. Returned with the necessary correction corresponding to explanation in Mr. Bamford's letter which accompanied the Certificate.—Fred. Nixon, Lieut., Com. 8 Batt. V.A. 25/7/74. Forwarded.—P. L. C. S., Major, Com. V.A., 25/7/74. Forwarded.—P. L. C. S., Major, Com. V.A. 12/11/74.

ARTILLERY VOLUNTEER CORPS.
Certificate of Efficiency.

We hereby certify:—

- (1.) That Gunner J. B. BAMFORD, of No. 8 Battery Volunteer Artillery, has attended, during the eight (8) months ending the 31st December, 1874, seventeen Drills, ordered by the Commanding Officer.
- (2.) That he possesses a competent knowledge of Squad and Company Drill, including the Manual and Platoon Exercises, and also of Gun Drill.
- (3.) That he possesses a competent knowledge of the general duties of a Gunner.
- (4.) That he was present at an Inspection of the Corps.
- (5.) That he has been through the required course of Musketry Instruction.

Sydney, 1st January, 1875.

FRED. NIXON, Lieut.,
Commanding No. 8 Battery Volunteer Artillery.
JOHN S. RICHARDSON, Lieut.-Col., Commandant,
Volunteer Permanent Staff.

No. 60.

Lieut.-Colonel Richardson to the Colonial Secretary.

Sir,

Brigade Office, 31 March, 1875.

ON the 28th July last I applied to you for authority, under special circumstances, to grant an Efficiency Certificate for a certain portion of the year 1873, to Gunner Bamford of the Volunteer Artillery Brigade. Authority was given in letter from your office, dated 30th October, 1874, No. 74/4,355. I now find that misapprehension may have been caused in Gunner Bamford's mind by the wording of the Brigade Order relating to his position on dismissal from the command of No. 8 Battery, Volunteer Artillery Brigade, and with a view to prevent any possibility of his being prejudiced thereby, and to carry out more fully the views of His Excellency the Governor, as embodied in a minute on the subject, have to request you will be pleased to sanction the issue of the Efficiency Certificate in question for the whole instead of a part of the year 1873. Gunner Bamford did not in the year 1873 fulfil the conditions of efficiency imposed by the Volunteer Act, but, as before stated, I consider it undesirable there should be any question of his being unjustly dealt with.

Can this be done
Refer to Crown
Law Officers.
JOHN R., 2/4/75.

I have, &c.,
JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

The Under Secretary, Crown Law Department.—H.H., 2/4/75., B.C.

No. 61.

ATTORNEY GENERAL'S OPINION.

Volunteer Force Regulation Act of 1867—31 Vic., No. 5.

THE Commandant requests authority to grant Efficiency Certificate for the year 1873 to Gunner Bamford.

Mr. Bamford was under suspension during a portion of that year, and could not attend inspection as required by the Regulations.

A. G., 10/4/75.

I cannot see how the Government can sanction, on the part of Colonel Richardson, the issue of a certificate which will embody a statement at variance with the fact. If Gunner Bamford did not in 1873 fulfil the conditions of efficiency required by the Volunteer Act, I am unable to perceive how he can be entitled to be deemed an "efficient volunteer" under the Efficiency Regulations.

W. B. D., A. G., 24/4/75.

Lt.-Col. Richardson may be informed, 28/4/75. The Principal Under Secretary, B.C., 26th April, 1875.—A.G.

No. 62.

The Principal Under Secretary to Lieut.-Colonel Richardson.

Sir, Colonial Secretary's Office, Sydney, 3 May, 1875.
 WITH reference to your letter of the 31st of March, in which you apply for authority to grant an efficiency certificate to Gunner Bamford, of the Volunteer Artillery Brigade, for the whole instead of a part of the year 1873 (he having been under suspension during a portion of that year, and unable to attend inspection, as the Regulations require), I am directed by the Colonial Secretary to inform you that this matter was referred for the opinion of the Attorney General, who has now advised upon it in the following terms:—

"I cannot see how the Government can sanction, on the part of Colonel Richardson, the issue of a certificate which will embody a statement at variance with the fact. If Gunner Bamford did not in 1873 fulfil the conditions of efficiency required by the Volunteer Act, I am unable to perceive how he can be entitled to be deemed an 'efficient volunteer' under the Efficiency Regulations."

I have, &c.,

HENRY HALLORAN.

No. 63.

Gunner J. B. Bamford to Officer Commanding No. 8 or P.A.O. Battery, V.A.

Sir, Volunteer Artillery Office, Sydney 10 May, 1875.
 I HAD the honor on the 19th March last to address the Commandant through you, relative to his alteration of the word "twelve," and substitution of the words "five" and "eight," in my certificates of efficiency for 1873 and 1874, respectively, requesting to know on what grounds such alteration and substitution (which would appear likely to prevent my obtaining my Land Order) have been made, I having never ceased (according to the Commandant's view, as expressed in previous correspondence) to belong to the Volunteer Force.

It is to be borne in mind that the Commandant, in his memo. 21/8/74 (on my letter dated 17th August, 1874, requesting my certificate for 1873), promised me a communication on that subject, which I never received, and which, together with his reply to my letter of the 19th March last, I have the honor respectfully to request you will apply for on my behalf.

I have, &c.,

J. B. BAMFORD, Gunner,
 No. 8 or P.A.O. Batt., V.A.

Forwarded to Major Commanding V.A., on Gunner Bamford's behalf.—FRED. NIXON, Lieut., Com. 8 Batt. V.A. 11 May, 1875.

Forwarded for information of Commandant.—P.L.C.S., Major, Com. V.A. 13/5/75.

The matters in connection with these certificates have been referred to the Government, and are not decided. When they are, it will be so intimated.—By Command. W.B.B.C., Major B. Officer Commanding V.A.B. 15/5/75.

Forwarded for information of Lieut. Nixon and Gunner Bamford.—P.L.C.S., Major, Com. V.A. 18/5/75.

Forwarded to J. B. Bamford, P.A.O. Batt., V.A.—FRED. NIXON, Lieut., Com. 8 Batt. V.A. 19/5/75.

No. 64.

Lieut.-Colonel Richardson to The Colonial Secretary

Sir, Brigade Office, Sydney, 12 May, 1875.
 WITH reference to your letter (75/2,289) of the 3rd instant, I have the honor to request that, failing the issue of an efficiency certificate to Gunner Bamford of the Volunteer Artillery Brigade for the year 1873, I may be empowered to consider the continuity of his service (as affecting the issue of a Land Order grant) unbroken, although he has not obtained the efficiency certificate in question—that in fact the case may be treated, as are treated cases of men absent on leave or sick.

I beg leave also to add, relative to this application, that it is made with a view of carrying out the opinion of His Excellency in Gunner Bamford's case, as embodied in a minute from His Excellency dated 11/7/74.

I have, &c.,

JOHN S. RICHARDSON, Lt.-Col.,
 Commandant.

No. 65.

COLONIAL SECRETARY'S MINUTE.

IT is not clear why the case is to be treated exceptionally and a Land Order grant authorized without an efficiency certificate. Some further explanation appears indispensable. 19/5/75.

Might have further report from Commandant.—JOHN R., 20/5/75.

The Commandant, B.C. 21 May, 1875.—H.H., Urgent.

No. 66.

Lieut.-Colonel Richardson to The Colonial Secretary.

Sir,

Brigade Office, Sydney, 28 May, 1875.

IN accordance with your minute 20/5/75, calling for further report on matter contained in correspondence herewith returned, I have the honor to inform you that on the 4th of September, 1873, His Excellency the Governor notified to me, by letter, that the Government had advised that "Captain Bamford's services as Commanding Officer of No. 8 Battery should be dispensed with," and requested me to give effect to that decision, which I accordingly did by Brigade Order of 6th September, 1873, as follows:—"His Excellency the Governor with the advice of the Executive Council, is pleased to dispense with the further services of Captain James Bromley Bamford, Officer commanding No. 8 or 'Prince Alfred's Own' Battery, Volunteer Artillery Brigade."

Some six months afterwards a correspondence ensued, having for its object, to elicit the intention of the Government as conveyed in His Excellency's letter, above quoted, and the effect of the Brigade Order. Reference having been made, His Excellency explained that "the decision of the Executive Council merely deprived Mr. Bamford of his command. It did not reduce him to the ranks, but it left it optional with him to rejoin as a gunner *on application*, if he desired to do so, and failing such application it would naturally have been supposed that he did not intend to avail himself of this option, and that he was as remarked in my letter no longer in the service. If Mr. Bamford's object in the present correspondence is to explain that he failed to make his application at once on his removal from the command, through the defective wording of the Brigade Order, and that there should not, in consequence, be any break in the continuity of his service, I think such a view is fair and reasonable, and that he should be considered to have rejoined the Battery as a gunner at once on his removal from the command," &c.

From this I gathered that Captain Bamford was dismissed from his command, and therefore from the Force altogether, inasmuch that his status in the Force was determined and specified by the terms of his commission, viz., "to be Captain of No. 8 or 'Prince Alfred's Own' Battery." The cancellation therefore of such commission left him no further status whatever in the Force. The intention, however, of the Government, as subsequently explained, was to have allowed him the option of *rejoining* as a gunner *on application*; this he failed to do at the time, possibly because the particular phraseology of the Brigade Order did not afford him any clue as to such option, and therefore in the opinion of the Government, he should not thereby suffer.

In conclusion; I may explain that personally I had no idea as to the intention of the Government on this point until the explanation was afforded some months after, as no such precedent exists either in Military law or custom as that of allowing an officer deprived of his commission the option of practically reverting to a subordinate rank. A new precedent was therefore created in this case by the decision of the Government; and, as will be seen, the terms in which this decision was originally conveyed failed to indicate this to me, or to explain that any departure from the usage of the Imperial Service was intended, although such was subsequently so explained.

I have, &c.,

JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

No. 67.

VOTES AND PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

Tuesday, 1st June, 1875.

(7.) THE Case of Captain Bamford:—*Mr. Farnell*, on behalf of Mr. Cameron, asked the Colonial Secretary, pursuant to Notice—

(5) Has the Commandant granted Captain Bamford the usual Certificates of Efficiency for the years 1873 and 1874?

Mr. W. Forster answered—

(5) No; because the Commandant did not consider Mr. Bamford entitled to them, in consequence of non-performance of drills and want of service. The special circumstances connected with the matter are under the consideration of the Government.

No. 68.

Lieut.-Colonel Richardson to The Colonial Secretary.

Sir,

Brigade Office, Sydney, 10 August, 1875.

I HAVE the honor to forward certain correspondence, marked A, B, and C, concerning the services of Gunner Bamford, No. 8 Battery, Volunteer Artillery Brigade, which I have to request may be attached to that forwarded to you under cover of my letter of the 28th May last, No. 75/237.

I may explain with reference to first paragraph of Gunner Bamford's letter of 4th instant, that my letter of 1st May, 1874, marked E (copy enclosed), to which he alludes, was dictated solely by reason of, and in accordance with the views expressed by His Excellency the Governor, in minute dated 20/4/74, marked D (copy also enclosed). It will be noted, however, that these views were subsequently somewhat modified in His Excellency's minute dated 11/7/74, and quoted in my letter to yourself of 28th May last.

The certificate alluded to in paragraph 2 of Gunner Bamford's letter does not cover the whole of 1873; nor did he perform the proper proportion of drills laid down in the Regulations for the entire year.

I have, &c.,

JOHN RICHARDSON, Lt.-Col.,
Commandant.

| Enclosure

[Enclosure A in No. 68.]

Gunner Bamford to Lieutenant Nixon.

Sir, Volunteer Artillery Office, Sydney, 22 July, 1875.
 WITH reference to the Commandant's reply to a question recently asked in the Legislative Assembly, I have the honor respectfully to beg that he will be pleased to inform me,—
 1st. On what dates respectively the period of "broken service" he attributed to me commenced and terminated.
 2nd. What fact or facts constituted such "broken service."
 3rd. In what year the "non-performance" of the "Regulation" (number 16) of drills for efficiency occurred.

As the Commandant's reply is calculated to injure me greatly, and appears to me to be inconsistent with facts, I hope he will afford me the information I seek.

I have &c.,

J. B. BAMFORD,
 No. 8 or "P.A.O." Battery, V.A.

Forwarded to Officer Commanding Volunteer Artillery.—FRED. NIXON, Lieut., Com. 8 Batt. V.A., July 23rd.—Forwarded P.L.C.S., Major, Comg. V.A., 27/7/75.

[Enclosure B in No. 68.]

Brigade Major to Major Shepherd.

Sir, Brigade Office, Sydney, 2 August, 1875.
 I AM directed by the Commandant to state, in reply to Gunner Bamford's letter of the 22nd ultimo, that the broken period of service alluded to, is from date of dispensation of services and date of rejoining No. 8 Battery. The year in which drills were deficient—1873.

As stated in Ministerial reply to questions in the House of Assembly, this particular case is under the consideration of the Government.

I have, &c.,

W. B. B. CHRISTIE, Captain,
 Major of Brigade.

[Enclosure C in No. 68.]

Gunner Bamford to Lieut. Nixon.

Sir, Volunteer Artillery Office, Sydney, 4 August, 1875.
 I HAVE the honor to acknowledge receipt of Commandant's letter, 75/335, dated 2nd August, 1875, wherein that officer imputes to me a period of "broken service" from "date of dispensation of services and date of rejoining." To this I must respectfully demur. The Commandant in his letter dated 1st May, 1874, recognises me as not having had my services in the Volunteer Force dispensed with; and, moreover, further recognises my right to remain in No. 8 Battery. In the first place then it would appear I have never been out of the force (on the Commandant's own showing) since first I joined it; and it is obvious I could not rejoin a Battery I had never quitted.

2. The Commandant further imputes to me a deficiency of drills in the year 1873. I can only say that I have received a certificate, bearing the counter-signature of the Commandant to the effect that I performed in that year the full complement of drills, which I am prepared to prove.

3. The Commandant will, perhaps, agree with me that the Government ought not to remain in ignorance of the statements I have made in this letter, in deciding as to granting or withholding the usual efficiency certificates with a view to my Land Order.

I have, &c.,

J. B. BAMFORD, Gr.,
 No. 8 or P. A. O. Battery V. A.

Forwarded—FRED. NIXON, Lieut., Com. 8 Battery V.A., 6/8/75. Forwarded for information of Commandant.—P.L.C.S., Major, Com. V.A., 7/8/75.

[Enclosure D in No. 68.]

MINUTE OF HIS EXCELLENCY THE GOVERNOR.

Copy of His Excellency the Governor's Minute on Commandant's letter 74/218, dated 15 April, 1874, regarding the decision in Captain Bamford's Case, viz. :—

Colonel Richardson,

THE decision of the Executive Council was "that Captain Bamford's services as *Commanding Officer* of No. 8 Battery of Volunteer Artillery be dispensed with." In effect this was equivalent to a sentence that he be reduced to the ranks; and I can see no objection to his being allowed to give his services to the public as a private, so long as he conducts himself properly in that capacity. He has shown himself to be unfitted for command, but he may make a very efficient private.—H. R., 20/4/74.

[Enclosure E in No. 68.]

Brigade Major to Major Shepherd,

Sir, Brigade Office, Sydney, 1 May, 1874.
 WITH reference to a letter from Mr. Bamford, lately commanding No. 8 Battery, Volunteer Artillery Brigade, dated the 31st March, 1874, and forwarded by you on the 13th April last, I am directed by the Commandant to acquaint you, for the information of Mr. Bamford, and that of the Officer Commanding No. 8 Battery, that the Brigade Order, dispensing with Mr. Bamford's services, had reference to his services as Captain only, and left it optional for him to remain in No. 8 Battery as a Gunner, or to quit the service altogether.

I have, &c.,

W. B. B. CHRISTIE, Capt.,
 Major of Brigade.

No. 5.

CAPTAIN LETT'S FIRST APPLICATION TO RESIGN.

No. 1.

LIEUT.-COLONEL RICHARDSON TO HIS EXCELLENCY THE GOVERNOR.

Your Excellency, Brigade Office, Sydney, 12 September, 1872.

I have the honor to forward, for your consideration, the accompanying letter from Captain and ^{3 July, 1872.} Adjutant Lett, Volunteer Artillery Brigade, tendering the resignation of his appointment as Adjutant, and requesting to be retained on the strength of that branch of the Force as a Supernumerary Captain; ^{9 Sept., 1872.} also letter from Major Shepherd, Commanding Volunteer Artillery Brigade, on the subject.

Your Excellency will perceive by the tenor of my remarks on first quoted letter, that I am averse to the establishment of what I believe will form a very inconvenient precedent, and which will be sought to be acted on by Officers desirous in future of relinquishing the active duties of the Volunteer Service.

Clause 43 of the Volunteer Act appears to me to provide a retired list, which does not entirely disassociate Officers from the Force.

I have, &c.,
JOHN S. RICHARDSON,
Lieut.-Col., Commandant.

I should wish to see Col. Richardson on this.—H. R.

Col. Richardson, 28/9/72.—Captain Lett must either retire from the Service altogether by the resignation of his appointment of Captain and Adjutant, or he must retire on his rank as provided for in Clause 43 of the Volunteer Act. He cannot be allowed to resign the Adjutancy and retain the Captaincy, as such a course would be inconsistent with the administrative organization of the Brigade.—H.R., 1/10/72.

No. 2.

Captain Lett to Major Shepherd.

Sir, Miller's Point, Sydney, 3 July, 1872.

I HAVE the honor to request that I may be permitted to resign my appointment as Adjutant of the Volunteer Artillery, as I find I cannot devote the time necessary to the due performance of the duty.

I have no desire to resign my Commission, and I shall therefore be glad if you can arrange to have me placed on the Supernumerary List, so that I may, if possible, at some future time be able to resume active service.

I have, &c.,
CHAS. A. W. LETT, CAPTAIN, V.A.

No. 3.

I trust the Commandant will be able to comply with Captain Lett's request to be placed on the Supernumerary List, as I consider his past service entitles him to some consideration; when his time admitted of it, he was also an active and efficient officer.—P. L. C. S., Major, Comg. V.A., 6/7/72.

No. 4.

I have given this subject careful consideration, and must confess I cannot see my way clear to carry out the recommendation of the Major Commanding V.A.B. without establishing a very inconvenient precedent, as also adopting a course not contemplated by the Volunteer Act and Regulations. I am desirous, with Major Shepherd, that Captain Lett's association with the Volunteer Artillery should not cease, and would suggest that as the whole Volunteer Force seems to need a re-organization, the matter should for the present remain in abeyance.—J. S. R., Lieut.-Col., Comdt., 25/7/72. B.C.

No. 5.

As serious inconvenience will result from any delay in this matter, I beg to recommend that Captain Lett's resignation be gazetted at once. I deem the present a fitting opportunity to remind the Commandant that Major Blackmore's resignation has not yet appeared in the *Gazette*—an omission which is calculated to lead to the impression that he was dismissed.—P. L. C. S., Major, Comg. V.A., 30/7/72.

No. 6.

If Captain Lett intends to retire *altogether* from the Service, an application to that effect must be made. The provisions of Clause 43 Vol. Act would seem to apply to present application in some degree. Omissions of the nature alluded to have already been brought under the notice of the Hon. Col. Secretary.—J. S. R., Lieut.-Col., Comdt. 5/8/72. (To be returned.)

No. 7.

The Commandant is informed that Captain Lett has left the Colony. Captain Lett made me aware some time since that in consequence of his having taken charge of Captain Towns' Queensland property, it would be quite impossible for him to devote time to carry out the duties of Adjutant. I therefore had sufficient grounds for my memo. of 30/7/72, which I trust the Commandant will no longer delay to recommend.—P. L. C. S., Major, Com. V.A. 13/8/72.

No. 8.

Am I to understand that Captain Lett wishes to resign his Commission as *Captain and Adjutant*, in fact to retire from the Service?—J. S. R., Lieut.-Col., Comdt., 16/8/72. B.C.

No. 9.

No. 9.

Undoubtedly, for a reason rendering his retention of office impossible. Independently of Captain Lett's wish, however, I am of opinion it would prejudice the good of the Service to sanction the retention of an appointment by one who cannot (on his own showing) perform the duties of it, nor do I see how Captain Lett's request to retain his Captaincy can affect this arrangement. The matter is in a nutshell, and I trust I may be spared the inconvenience of further delay.—P. L. C. S., Major, Comdt. V.A. 21/8/72.

No. 10.

Major Shepherd to Colonel Richardson.

Dear Col. Richardson,

Darling Nursery, Sydney, 9 September, 1872.

I HAVE received a communication from Captain Lett, who is now in Queensland, in which he reiterates his desire to resign the adjutancy, but to retain his commission as Captain in the Volunteer Service, I should be glad if this could be effected, as may probably be the case, if you will exercise your powerful influence with the Government.

Yours, &c.,

P. L. C. SHEPHERD.

No. 11.

HIS EXCELLENCY THE GOVERNOR'S MINUTE OF 1 OCTOBER, 1872.

CAPTAIN Lett must either retire from the Service altogether by the resignation of his appointment of Captain and Adjutant, or he must retire on his rank as provided for in clause 43 of the Volunteer Act. He cannot be allowed to resign the Adjutancy and retain the Captaincy, as such a course would be inconsistent with the administrative organization of the Brigade.

H.R.

No. 12.

Captain Baynes to Major Shepherd.

Sir,

Brigade Office, Sydney, 4 October, 1872.

THE correspondence on the subject of Captain Lett's application resigning the adjutancy of the Volunteer Artillery Brigade, and for permission to be retained in the Force as a supernumerary, having been submitted for the consideration of the Governor, I have the honor by direction to annex for your information a copy of His Excellency's reply thereto.

I have, &c.,

THOS. BAYNES, Captain,
Acting Major of Brigade.

No. 13.

EXTRACT from Brigade Office Register.—No. 72/2436.

From Captain Lett, date 16 November, 1872.

Application to resign the Adjutancy and to be appointed Quartermaster.

Returned to Major Shepherd 29/11/72, with following Minute, viz. —

I cannot see how I am to recommend such an appointment, as at present it is contrary to the authorized establishment. *Vide Regulations.*

J. S. R., Lt.-Col., Commandant.

No. 14.

Brigade Office, Sydney, 30 November, 1872.

Brigade Order, No. 198.

THE following regulations are published for the information and guidance of the Force, during the annual meeting of the New South Wales Rifle Association, notified to be held on the 3, 4, 5, 6, and 7 prox.

3. A Field Officer will be nominated for the command of all Volunteers on the ground during each day of meeting.

An Adjutant of the day will also assist the Field Officer.

7. The following will be the detail for duties during the matches, viz. :—

3rd December { MAJOR SHEPHERD.
 { ADJUTANT LETT.

By Command,

THOS. BAYNES, Captain,
Acting Major of Brigade.

No. 15.

Major Shepherd to Lieut.-Colonel Richardson.

Sir,

Volunteer Artillery Office, Sydney, 2 December, 1872.

I HAVE the honor to call your attention to a portion of your B.O. of 30th ultimo, viz., the appointment of Captain Lett as Adjutant.

I protest respectfully against your insisting on Captain Lett's resumption of duty as Adjutant, notwithstanding his repeated requests to be permitted to resign that position (the last dated so recently as 16th ultimo)—on the ground of total inability to discharge the duties of it. I feel bound further to protest against the apparent indignity offered me, in thus setting aside my recommendations that Captain Lett's resignation should be accepted, inasmuch as the interests of the Force, under my command, imperatively call for it (this too, while his last application to be allowed to resign remains undecided). As an instance of the manner in which the business of the Adjutant's department is to be conducted, should the Commandant persist in his present course of re-instating Captain Lett, in opposition to that officer's wishes, as well as my own, I beg to state that Captain Lett has done no duty whatever for several months past, that I am not aware of his present address, and that I do not even know if he is at present in the Colony.

I have, &c.,

P. L. C. SHEPHERD, Major,
Com. Vol. Artillery.

No. 16.

Captain Baynes to Major Shepherd.

Sir, Brigade Office, Sydney, 10 December, 1872.

WITH reference to your letter of the 2nd inst., No. 145, I have the honor, by direction, to point out that Captain Lett not having resigned his position as Captain and Adjutant, in accordance with minute of His Excellency the Governor, of the 1st October last (copy of which was duly forwarded to you), together with the fact that Captain Lett has not received from this office leave of absence, and being present in Sydney, compels the Commandant to regard him as still the Adjutant of the V.A.B., and available for duty as such.

The Commandant also fails to perceive how he has offered any indignity to you by his non-concurrence with your recommendation for an appointment not sanctioned by the authorized establishment of the Brigade under your command, as laid down in the Volunteer Regulations.

I have, &c.,
THOS. BAYNES, Capt.,
Actg. Major of Brigade.

CAPTAIN LETT'S SECOND APPLICATION TO RESIGN.

No. 17.

Captain Talbot to Major Shepherd.

Dear Sir, Sydney, Circular Quay, 5 February, 1874.

WISHING to obtain some information from you, I wrote you a private letter, and was much surprised, on receiving the same and hearing your remarks, to find the address in other handwriting than your own.

I very much fear my letter has been made public, from the fact of its reaching me officially, and in order to bear me out in my surmise I now enclose the envelope for you to look at.

I remain, &c.,
P. TALBOT.

No. 18.

Will Capt. Lett kindly say if the accompanying envelope is addressed by him, and if so, how did it occur, as I had addressed Lt. Talbot's letter, and left it on my table.—P.L.C.S., Major, Com. V.A. 6/2/74.

O.H.M.S.
Lt. TALBOT,
Commg. No. 2 Battery V.A.
V.A. Office,—2/2/74.

P.L.C.S., Major,
Com. V.A.
6/2/74.

No. 19.

I saw the letter lying on the table, and as it was addressed "O.H.M.S.," I opened it, thinking that it contained some memo. connected with the Vol. Service, which I had not seen.—C. LETT, Capt. Adj. V.A. 9/2/74.

Until I had written my explanation on the other side, I did not read Mr. Talbot's note. Lest any question should be hereafter raised, I may as well state now that, before I opened the letter addressed by you, I had heard of the matter alluded to therein; and I may also add that since then I have not mentioned the subject to any one.

I mention this as Mr. Talbot says "he fears much his letter has been made public," which remark is plainly pointed at me.—C. LETT, Capt., Adj. V.A.

No. 20.

For the Commandant's consideration, in view of previous correspondence in reference to Capt. Lett. I abstain from offering any opinion, and await the Commandant's instructions.—P.L.C.S., Major, Com. V.A. 11/2/74.

No. 21.

The Major Commanding V.A.B.,—

Captain Lett's explanation, although no doubt *bona fide*, is certainly not satisfactory, as he should have known that it was highly improper to open a letter addressed by his Commanding Officer to another officer, notwithstanding such letter was O.H.M.S., as it might be supposed to contain confidential matter of which even the Adjutant was not required to be in possession. I have no instructions to give, as it must rest with Major Shepherd to deal with his Adjutant.—J.S.R., Lt.-Col., Comdt. B.C., 12/2/74. Recd. 14/2/74, P.L.C.S.

No. 22.

As the Commandant declines to act, and as I have no power to deal with the conduct of an officer in so serious a matter, the only course open to me is to request that the subject be referred to His Excellency. I consider it my duty to mention for His Excellency's information, that the letter opened by Capt. Lett referred to the very delicate matter in which Lieut. Anderson and Sergeant-major M'Garvey are implicated, of which Captain Lett admits a previous knowledge, although he omitted to report the circumstance, as I conceive it was his duty to have done.

As Regimental Commanding Officer, I have felt it incumbent upon me to prohibit Adjutant Lett from any interference whatever with the correspondence in future.—P.L.C.S., Major, Com. V.A. 16/2/74.

No. 23.

No. 23.

Major Shepherd is in error in supposing that I decline to act in this matter, my intention being, when writing my memo., to put it in Major Shepherd's power either to communicate to Captain Lett the severe reprimand I had conveyed in such memo., or to suggest such other course as the requirements of the case might seem to call for, such being Major Shepherd's duty as Commanding Officer. Having now definitely pointed out the course I think should be adopted, I refer the matter for Major Shepherd's reconsideration.—J.S.R., Lt.-Col., Comdt., 17/2/74.

No. 24.

I have already in my memo., 16/2/74, suggested the only course suitable in my opinion to this case; if the Commandant is desirous of adopting any other, will he kindly forward me orders. I only returned to duty yesterday, or this matter would have been attended to before.—P.L.C.S., Major, Com. V.A., 27/2/74.

No. 25.

LIEUT.-COLONEL RICHARDSON TO HIS EXCELLENCY THE GOVERNOR.

Your Excellency,

Brigade Office, Sydney, 9 March, 1874.

I HAVE the honor to forward, herewith, for your perusal, documents connected with the conduct of Captain Lett, Adjutant Volunteer Artillery Brigade, in the matter of opening of a letter addressed by Major Shepherd, Volunteer Artillery Brigade.

Your Excellency will recollect that some short time since, as a sequel to Captain Bamford's case, there arose the question as to whether Captain Lett had or had not maliciously exercised his authority with a view to inflicting injury on Captain Bamford, by making improper details of Members for the Courts of Inquiry which sat in connection with Captain Bamford's case, Major Shepherd endorsed the allegations made against Captain Lett, who was required to furnish a reply to the statements made, in which confirmatory testimony was given by other officers. When forwarding this reply with the memorandum from other officers, Major Shepherd did not withdraw his endorsement of the charges made against Captain Lett, although the reply of Captain Lett and the confirmatory memorandum were held by your Excellency to amount to a satisfactory refutation of the charges.

These occurrences are, to a certain extent, irrelevant to the matter which I now refer to your Excellency, but I have thought it necessary to refer to the whole state of the relations existing between Major Shepherd and his Adjutant, which it is manifest must be very prejudicial to the interests of the service.

Your Excellency will note from the correspondence, that I have placed it in Major Shepherd's power to administer a severe reprimand to Captain Lett. As Major Shepherd has apparently not thought fit to adopt that course, I can only conclude he wishes to refer the matter to your Excellency, with a view of more stringent measures being resorted to. I have, &c.,

JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

No. 26.

HIS EXCELLENCY THE GOVERNOR TO LIEUT.-COLONEL RICHARDSON.

Sir,

Government House, Sydney, 11 March, 1874.

I HAVE perused the papers which accompanied your letter of the 9th instant, with reference to the conduct of Captain Lett, who it appears opened without authority a letter addressed by his Commanding Officer, Major Shepherd, to Lieutenant Talbot. I infer from the documents transmitted, and which I return herewith, that Captain Lett, having possessed himself of the contents of Major Shepherd's communication, did not, on finding that it referred to a confidential matter with which he had no immediate concern, forward the letter as sent by Major Shepherd, with an endorsement upon it that it had been opened by him under a misapprehension, but that he placed the letter in another envelope, which he addressed to Lieutenant Talbot in his own handwriting, as if it had been forwarded by Major Shepherd through him in the usual official course.

It appears to me that Captain Lett's conduct is most censurable; and unless Major Shepherd should himself be willing still to repose confidence in Captain Lett and to give him another trial, I have to direct that he be called on to show cause why he should not be removed from his position as Adjutant of the Volunteer Artillery, with a view to the consideration of his case in Executive Council.

I have, &c.,

HERCULES ROBINSON.

No. 27.

Major of Brigade to Major Shepherd.

Sir,

Brigade Office, Sydney, 12 March, 1874.

I AM directed by the Commandant to forward herewith a letter received from His Excellency the Governor, on the subject of Captain Lett's case, and further to instruct you, in accordance with His Excellency's direction, should you not feel willing still to repose confidence in Captain Lett, to direct that officer to show cause why he should not be removed from the position of Adjutant of the Volunteer Artillery Brigade.

I have, &c.,

W. B. B. CHRISTIE, Captain,
Major of Brigade.

No. 28.

I DARE not deal with this matter on personal grounds, the circumstances connected with it having I fear become known to the Force, tending to close up the avenue of confidential communication between myself and those under my command. At the same time I am very desirous that Captain Lett should be dealt with as leniently as possible, and therefore, beg His Excellency will be kindly pleased to permit him an opportunity of resigning with a view to obviate the necessity of calling upon him to show cause why he should not be removed from the position of Adjutant, &c.,—a step which I shall otherwise feel it my duty to take.

P.L.C.S., Major, Com. V.A., 12/3/74.

No. 29.

LIEUT.-COLONEL RICHARDSON TO HIS EXCELLENCY THE GOVERNOR.

Your Excellency, Brigade Office, Sydney, 14 March, 1874.
WITH reference to your Excellency's letter of the 11th instant, regarding the conduct of Captain Lett, I have the honor to forward for your consideration the accompanying communication received from Major Shepherd, requesting that Captain Lett may be permitted an opportunity of resigning his appointment, instead of being called upon to show cause why he should not be removed from the Adjutantcy of the Volunteer Artillery Brigade.

I have, &c.,
JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

No. 30.

COL. RICHARDSON,—You had better see Capt. Lett, and explain the position—offering him an opportunity of resigning.—H.R., 16/3/74.

No. 31.

Major Shepherd to Lieut.-Colonel Richardson.
Sir, Volunteer Artillery Office, Sydney, 25 March, 1874.
AS I was unable to attend at the Brigade Office on Friday last, in reference to Captain Lett's matter, I had hoped before this to have received information as to what took place on that occasion. Will the Commandant kindly acquaint me of the course directed by His Excellency to be adopted with regard to that officer?

I have, &c.,
P. L. C. SHEPHERD, Major,
Commanding V.A.

No. 32.

Major Shepherd is informed that the whole of the correspondence connected with the matter referred to, was read to Captain Lett, who informed the Brigade Major that he would send an official communication, intimating the decision he had arrived at. None such has, as yet, been received.—W.B.B.C., 26/3/74.

No. 33.

Captain Lett to Major Shepherd.
Sir, Sydney, 27 April, 1874.
HAVING been favoured with a perusal of the correspondence relative to the complaint of Mr. Talbot, of No. 2 Battery V.A., as to my having opened and re-addressed an official letter from you to him, I beg to be permitted to make the following statement, which, I trust, will convince His Excellency the Governor that my action throughout, though perhaps not unworthy of some blame from a strictly official point of view, has been open, candid, and straightforward, and that I had not any improper motive in opening the letter.

On the day I opened the letter, on the way back to my private office, I met Mr. Talbot and Captain Fahey in Pitt-street. I stopped and spoke to them both in a friendly way, when Mr. Talbot addressed me in a very offensive manner in reference to a matter which I need not detail. This, naturally, led to a rejoinder, and resulted in our separating in a not very amicable mood. Before he left me, however, I said (in the presence of Captain Fahey, who can corroborate all I state) "Oh! by-the-by, Mr. Talbot, I have just left a letter for you at the Brigade Office." He asked "What is it about?" and I replied, "You must not ask me to tell before Captain Fahey the contents of an official letter." We then parted.

Does not this show that I made no concealment of what I had done?
I have no hesitation in saying that had I not met Mr. Talbot and told him that I had seen the letter, he would have opened it as a matter of course without remark, and no complaint would have been made.

Although Mr. Talbot and I are not good friends, I do not wish for one moment to impute improper motives to him; and, no doubt in reporting the fact of the letter not being addressed in *your* handwriting (though why he should think this a singular circumstance I cannot imagine, seeing that for years past at least three out of every four letters sent to him from the Volunteer Artillery Office have been addressed by other hands than yours), he was actuated by the best motives for the benefit of the Public Service, yet I cannot but think that had I not been the offender he might have viewed the matter in a less severe light.

The view which His Excellency has been pleased to take of the matter affects me very keenly, feeling, as I do, so thoroughly unconscious of having committed a moral wrong, or of having acted in a manner unbecoming my position as an officer and a gentleman; and I hope that on perusal of the foregoing statement His Excellency will, if he do not altogether acquit me of blame, so far modify his censure as to exonerate me from the imputation of having been guilty of wilful impropriety.

Under the circumstances, I shall leave the matter in His Excellency's hands, waiving my right to demand a Court of Inquiry, feeling assured of the correctness of his judgment.

The forfeiture of my office is a severe punishment for an unintentional offence, but I have no desire to retain my position if it is considered that the service to which I have been so long attached, and in which I take so great an interest, will benefit by my resignation. If I do retire I should wish to do so without stigma.

I have, &c.,
CHAS. A. W. LETT, Capt.,
Adjutant V.A.

No. 34.

Forwarded for His Excellency's information. I prefer to offer no comment unless His Excellency desires it.—P.L.C.S., Major, Com. V.A., 29/4/74.

No. 35.

LIEUT.-COLONEL RICHARDSON TO HIS EXCELLENCY THE GOVERNOR.

Your Excellency,

Brigade Office, Sydney, 13 May, 1874.

I HAVE the honor to report for your information, that, in accordance with your minute on my letter, 74/159, of the 14th March last, Captain Lett's position was, without delay, duly explained to him, and an opportunity offered of resigning. After some considerable time however I received a letter from that officer on the subject, which I beg leave to forward herewith for your consideration, and to await your Excellency's further instructions in the matter.

27th April, 1874.

I beg leave also to enclose the previous papers in this case.

I have, &c.,

JOHN S. RICHARDSON, Lieut.-Col.,

Commandant.

No. 36.

Col. Richardson,—Unless Major Shepherd should feel disposed to overlook Capt. Lett's conduct in this case, and to continue to give him his confidence, it will be better for the service that Capt. Lett should resign.

H.R., 19/5/74.

No. 37.

Captain Lett to Major Shepherd.

Sir,

Sydney, 29 May, 1874.

FINDING that I cannot for many reasons continue to perform the duties of Adjutant of the Volunteer Artillery satisfactorily, I beg leave to tender my resignation of that office.

As, however I do not wish to retire from the Force I have the honor to request that I may be appointed Quartermaster of the Artillery Brigade.

I have, &c.,

C. A. W. LETT.

Received 4th June, /74.—P.L.C.S.

Acceptance of resignation recommended. With reference to Capt. Lett's application to be appointed Quartermaster, I prefer remaining silent, as the Commandant decided on a former application of this officer for the same appointment that it could not be entertained on the ground that no such office was provided for in the establishment. I extremely regret not having been able to forward this document earlier, but I trust the Commdt. will kindly hold me excused to His Excellency for the delay, as it only reached my office to-day.—P.L.C.S., Major, Com. V.A., 4/6/74.

I have recommended the establishment to be amended some time since, in order to include an officer as Quartermaster.—J.S.R., Lt.-Col., Comdt., 10/6/74.

The Commandant will remember that I told him when he spoke to me on the subject that (considering the circumstances) I could not recommend Capt. Lett for this appointment. I regret to observe that my memo. dated 4/6/74 only reached the Commandant on the 8th; it was left addressed in the usual way on my office table for delivery on the former date.—P.L.C.S., Major, Com. V.A., 12/6/74.

Prior to submitting this resignation to His Excellency the Governor, I think it but right that Capt. Lett should be informed by Major Shepherd that he is unable to recommend that officer for the position of Quartermaster to the Brigade.—J.S.R., Lt.-Col., Comdt., 18/6/74.

Captain Lett was informed previous to receipt of Commandant's memo. 18/6/74. I would respectfully urge that I have nothing further to do with this matter, and that I have declined to receive any further correspondence from Captain Lett on the subject.—P.L.C.S., Major, Com. V.A.—23/6/74.

No. 38.

LIEUT.-COLONEL RICHARDSON TO HIS EXCELLENCY THE GOVERNOR.

Your Excellency,

Brigade Office, Sydney, 23 June, 1874.

WITH reference to the correspondence regarding the conduct of Captain Lett, I have the honor to forward the accompanying letter from that officer, tendering his resignation of his appointment as Adjutant of the Volunteer Artillery Brigade, and to draw your attention to Major Shepherd's minutes thereon, regarding Captain Lett's request to be appointed Quartermaster.

I beg leave also to enclose, for your Excellency's information, the correspondence that has taken place in the matter, and to request, if they can be spared, the papers may be returned to me, with your Excellency's decision in the case.

I have, &c.,

JOHN S. RICHARDSON, Lieut.-Col.,

Commandant.

No. 39.

Brigade Order, No. 119.

Brigade Office, Sydney, 15 July, 1874.

The following notifications having appeared in the *Government Gazette* of the 14th instant, are published for the information of the Volunteer Force, viz. :—

“Colonial Secretary's Office, Sydney, 13 July, 1874.

“NOTICE is hereby given, that Charles Arthur Walker Lett, Esquire, has resigned his appointment as Adjutant of the Volunteer Artillery Brigade.—HENRY PARKES.

“By Command,

“W. B. B. CHRISTIE, Capt.,

“Major of Brigade.”

No. 6.

CAPTAIN BAMFORD'S CHARGES AGAINST CAPTAIN AND
ADJUTANT LETT.

[Contained at pages 21 to 28 inclusive, of Correspondence respecting Captain Bamford's case, ordered by the Legislative Assembly to be printed on the 14th January, 1874.—J.S.R., Lt.-Col., Commdt., 14/1/76.]

Mr. J. B. Bamford to Lieut.-Colonel Richardson.

Sir, 32, Francis-street, Enmore, 10 December, 1873.
I HAD the honor, just four months ago to-day, to forward you serious "charges" against Captain Lett, of misconduct, by which I have sustained injury.

2. I have since expected an opportunity to be afforded me of proving those charges, but so long a period having elapsed without my being communicated with, I request you will oblige me with information as to the steps (if any) which have been taken in reference to this matter, and when I may hope to be permitted to substantiate my charges.

I have, &c.,
J. B. BAMFORD.

Captain Christie to Mr. J. B. Bamford.

Sir, Brigade Office, Sydney, 15 December, 1873.
I AM directed by the Commandant to acknowledge the receipt of your letter of the 10th instant, and to inform you that having ceased to belong to the Volunteer Force any communication you have to make should be sent to the Honorable the Colonial Secretary.

I have, &c.,
W. B. B. CHRISTIE, Capt.,
Major of Brigade.

No. 7.

MR. BAMFORD'S CHARGES AGAINST THE COMMANDANT.

No. 1.

LIEUT.-COLONEL RICHARDSON to HIS EXCELLENCY THE GOVERNOR.

Your Excellency,

Brigade Office, Sydney, 19 November, 1874.

16 Nov., 1874.

I HAVE the honor to forward herewith a letter received this day through the usual channel, from Gunner Bamford, No. 8 Battery Volunteer Artillery Brigade, on which it appears to me needless to offer comment.

I have, &c.,

JOHN S. RICHARDSON, Lieut.-Col.,
Commandant.

No. 2.

J. B. Bamford to The Officer Commanding No. 8 or P.A.O. Batt., V.A.

Sir,

Sydney, 16 November, 1874.

I HAVE the honor to request you will favour me by forwarding to His Excellency the Commander-in-Chief, through the usual military channel, and at your earliest convenience the accompanying charges preferred by me against the Commandant.

I urgently and most respectfully solicit through you from His Excellency, that these charges may be referred for investigation by a Court and not decided on a principle by which only one of the parties is heard.

Should His Excellency be pleased to afford me the opportunity I seek I shall substantiate these charges in the clearest and most unmistakeable manner, and as it concerns my interest and character that this should be done I do venture humbly to believe that His Excellency will not refuse my request.

I have, &c.,

J. B. BAMFORD, Capt., V.A.
(quasi) Gunner No. 8 or P.A.O. Batt., V.A.

CHARGES.

First.—For conduct to the prejudice of good order and military discipline, in the following instances:—

1st instance.—In having at Sydney, on a date or dates unknown, afforded one or more interviews to Gunner Lockyer of No. 8, or "Prince Alfred's Own" Battery, Volunteer Artillery, and arranged with him, clandestinely, an official matter which had been referred to the Commandant in writing through the officer then commanding that battery, without affording that officer the usual information as to the fact,—the same being in breach of Brigade Order, dated 15th September, 1871, and of military usage.

2nd instance.—In having, by the actions specified in the foregoing instance of this charge, misled the officer commanding No. 8, or "Prince Alfred's Own" Battery, and then causing him to be brought before a Court of Inquiry and punished for being so misled, and in having subsequently unlawfully issued a Brigade Order, dismissing him from the Volunteer Force, contrary to the instructions of Government, which only authorized the Commandant to take from that officer his command.

Second.—For conduct unbecoming the character of an officer and a gentleman, and to the prejudice of good order and military discipline, in the following instances:—

1st instance.—In having, at Sydney, on the 8th August, 1873, induced His Excellency the Commander-in-Chief to form a false conclusion prejudicial to Captain J. B. Bamford, then Commanding No. 8, or "Prince Alfred's Own" Battery, Volunteer Artillery, by means of misrepresenting facts to His Excellency, viz., that is to say, by falsely insinuating that the opinion of a certain Court of Inquiry into Captain Bamford's conduct had been condemnatory of that officer, whereas on the contrary it rather censured the action of the Commandant in regard to Captain Bamford.

2nd instance.—In having, at the same time and place specified in the foregoing instance of this charge, shown himself guilty of causing notes (purporting to be truthful) to be clandestinely taken of a confidential interview, and publishing the same to the prejudice of Captain Bamford.

3rd instance.—In having, at the same place specified in the 1st instance of this charge, on the 1st May, 1874, been guilty of falsehood in affirming that Brigade Order, dated 6th September, 1873, was not intended to remove Captain Bamford, of the Volunteer Artillery, from the Volunteer Force, whereas two official communications from the Brigade Office reached Captain Bamford shortly after that order was promulgated, emphatically pointing out that such order did remove him from it.

J. B. BAMFORD, Capt., V.A.,

(quasi) Gunner No. 8, or "P.A.O." Batt., V.A.

Forwarded.—FRED. NIXON, Lieut., Com. 8 Batt. V.A., 18 Nov., 1874.

Forwarded.—P.L.C.S., Major, Comd. V.A., 19/11/74.

No. 3.

Col. Richardson,—Mr. Bamford is not a Captain in the Volunteer Artillery, and I decline to entertain any complaint advanced by him, in which he signs himself in that capacity.—H.R., 21/11/74.

No. 4.

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No. 4.

Brigade Major to Major Shepherd.

Sir, I AM directed by the Commandant to inform you, with reference to a letter-with enclosure from Gunner Bamford, No. 8 Battery, Volunteer Artillery Brigade, dated the 16th instant, which letter was transmitted to His Excellency the Governor, that His Excellency declines to entertain any complaint advanced by Gunner Bamford, in which he signs in the capacity of Captain, he not being a Captain in the Volunteer Artillery.

I have, &c.,
W. B. B. CHRISTIE, Capt.,
Major of Brigade.

No. 5.

Gunner Bamford to Officer Commanding No. 8 or P.A.O. Battery.

Sir, I HAVE the honor to acknowledge receipt of letter from Brigade Office, Sydney, 30 November, 1874, 1874 (74-639) to the effect that His Excellency declines to entertain my complaint against the Commandant because it is made "in the capacity of Captain."

In order, therefore, that such complaint, the investigation of which must be of such vital consequence to Volunteer interests, may not fall through on a mere matter of form, I have the honor to request that my complaint may be read as having been signed by me as Gunner.

I have, &c.,
J. B. BAMFORD,
Gunner, No. 8 or "P.A.O." Batt., V.A.

Forwarded.—FRED. NIXON, Lieut., Com. 8 Batt. V.A., 1/12/74. Forwarded.—P.L.C.S., Major, Com. V.A., 2/12/74.

No. 6.

LIEUT.-COLONEL RICHARDSON TO HIS EXCELLENCY THE GOVERNOR.

Your Excellency, Brigade Office, Sydney, 4 December, 1874.

I HAVE the honor to return herewith certain correspondence received by me from Your Excellency, with minute dated the 21st November last, as also to forward a further communication from Gunner Bamford, in reply to my letter notifying Your Excellency's decision as given in minute referred to (copy attached).

I have, &c.,
JOHN S. RICHARDSON, Lieut.-Col.,
Commandant.

No. 7.

Col. Richardson, MR. BAMFORD must first send in his charges properly signed before I can deal with them. I decline to recognize or even peruse the former paper.

H.R., 5/12/74.

No. 8.

Brigade Major to Major Shepherd.

Sir, I AM directed, with reference to Gunner Bamford's letter of the 30th November last (duly forwarded to His Excellency), to inform you, for Gunner Bamford's information, that His Excellency declines to recognize or peruse the former papers, and that Gunner Bamford must send in his charges properly signed before His Excellency can deal with them.

I have, &c.,
W. B. B. CHRISTIE, Capt.,
Major of Brigade.

No. 9.

LIEUT.-COLONEL RICHARDSON TO HIS EXCELLENCY THE GOVERNOR.

Your Excellency, Brigade Office, Sydney, 11 January, 1875.

I HAVE the honor to forward herewith a letter dated the 7th instant, from Gunner Bamford, No. 8 Battery, Volunteer Artillery Brigade, forwarding charges against myself, with signature amended, in accordance with your Excellency's Minute of 5/12/74, and to return the previous documents received from your Excellency with minute already alluded to.

I abstain from offering any remarks on this case, but have to express myself as prepared to render any explanation which your Excellency may think proper to require of me.

I have, &c.,
JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

No. 10.

No. 10.

Gunner Bamford to Officer Commanding No. 8 Battery.

Sir,

Sydney, 7 January, 1875.

HIS Excellency having declined to comply with the request contained in my letter of 30th November, 1874, that my charges against the Commandant might be "read as having been signed by me as Gunner," and required of me that they should be rewritten and signed by me in that capacity before His Excellency would entertain them, I have the honor accordingly to attend to both injunctions of His Excellency, and to request you will be good enough to forward the accompanying rewritten and duly signed charges, with my humble request that they may be investigated by a Court where *both* parties may be heard, and an opportunity be thus afforded me of substantiating them, which in that case I undertake to do.

I have, &c.,

J. B. BAMFORD, Gunner,
No. 8 or P.A.O. Battery, V.A.

CHARGES.

First.—For conduct to the prejudice of good order and military discipline in the following instances:—

1st instance.—In having, at Sydney, on a date or dates unknown, afforded one or more interviews to Gunner Lockyer, of No. 8 or "Prince Alfred's Own" Battery, Volunteer Artillery, and arranged with him clandestinely an official matter which had been referred to the Commandant in writing through the officer then commanding that Battery without affording that officer the usual information as to the fact, the same being in breach of Brigade Order dated 15th September, 1871, and of military usage.

2nd instance.—In having, by the action specified in the foregoing instance of this charge, misled the Officer commanding No. 8 or "Prince Alfred's Own" Battery, and then causing him to be brought before a Court of Inquiry and punished for being so misled, and in having subsequently unlawfully issued a Brigade Order dismissing him from the Volunteer Force contrary to the instructions of Government, which only authorized the Commandant to take from that officer his command.

Second.—For conduct unbecoming the character of an officer and a gentleman and to the prejudice of good order and military discipline in the following instances:—

1st instance.—In having, at Sydney, on the 8th August, 1873, induced His Excellency the Commander-in-Chief to form a false conclusion prejudicial to Captain J. B. Bamford, then commanding No. 8 or "Prince Alfred's Own" Battery, Volunteer Artillery, by means of misrepresenting facts to His Excellency, viz., that is to say, by falsely insinuating that the opinion of a certain Court of Inquiry into Captain Bamford's conduct had been condemnatory of that officer, whereas on the contrary it rather censured the action of the Commandant in regard to Captain Bamford.

2nd instance.—In having, at the same time and place, specified in the foregoing instance of this charge, shown himself guilty of causing notes (purporting to be truthful) to be clandestinely taken of a *confidential* interview, and *publishing* the same to the prejudice of Captain Bamford.

3rd instance.—In having, at the same place, specified in the first instance of this charge, on the 1st May, 1874, been guilty of falsehood, in affirming that Brigade Order, dated 6th September, 1873, was not intended to remove Captain Bamford, of the Volunteer Artillery, from the Volunteer Force, whereas two official communications from the Brigade Office reached Captain Bamford shortly after that Order was promulgated, emphatically pointing out that such Order did remove him from it.

J. B. BAMFORD, Gunner,
No. 8, or P.A.O. Batt., V.A.

Forwarded.—FREDERICK NIXON, Lieut., Commanding No. 8 Batt., V.A., 8/1/75.

Forwarded.—P.L.C.S., Major, Com. V.A., 8/1/75.

No. 11.

COL. RICHARDSON,—The greater part of these charges if investigated would practically involve retrying Mr. Bamford's and Mr. Lockyer's cases in another shape, and I therefore decline to reopen those cases, which were fully investigated and decided on by the Governor in Executive Council. A mistake was made in the Brigade Order, which, as originally issued, went too far; but the error, so far as it concerned Mr. Bamford, was corrected when it was pointed out, and he has not in any way suffered by the inadvertence. No further inquiry on this point appears to be necessary. H.R., 6/2/75.

No. 12.

Brigade Major to Major Shepherd.

Sir,

Brigade Office, Sydney, 8 February, 1875.

I AM directed by the Commandant to inform you that Gunner Bamford's (No. 8 Battery, Vol. Art.) letter of the 7th January last, with the charges accompanying it, have been laid before His Excellency the Governor, who, considering that investigations into the greater part of the charges would practically involve the retrying in another shape of the cases of Gunner Bamford and Gunner Lockyer (which cases were investigated fully, and decided on by the Governor in Executive Council), declines to reopen them.

His Excellency is further of opinion that Gunner Bamford has not in any way suffered by the Brigade Order of the 6th Sept., /73, nor does he deem further inquiry on this point to be necessary.

I have, &c.,

W. B. B. CHRISTIE, Capt.,
Major of Brigade.

No. 8.

LIEUTENANT ANDERSON AND SERGEANT-MAJOR M'GARVEY'S
CASES.

No. 1.

LIEUT.-COLONEL RICHARDSON TO HIS EXCELLENCY THE GOVERNOR.

Your Excellency,

Brigade Office, Sydney, 13 August, 1874.

I HAVE the honor to forward for your consideration proceedings and documents connected with the Court of Inquiry assembled under your Excellency's authority, to investigate and report upon the conduct of Lieutenant Anderson, No. 2 Battery, Volunteer Artillery Brigade, and Sergeant-major M'Garvey, of the Permanent Staff, in connection with the issue of a certificate for grant of land to Gunner Pugh, No. 2 Battery, Volunteer Artillery Brigade.

The specific matter referred to the Court is contained in Lieutenant Talbot's letter of the 9th February, 1874, and to this effect:—That "Gunner Pugh, on asking Lieutenant Anderson for his certificate of efficiency for 1869, was informed by that officer on the first occasion that *he would make it all right if he (Pugh) gave him £5*, while on the second occasion he told Pugh *he would have to give M'Garvey £5 also*."

With reference to Gunner Pugh's original statement concerning Lieutenant Anderson, it would appear that the expressions used by Pugh are confirmed, on oath, by Lieutenant Talbot and Sergeant-major Sutton, and, to a certain extent, by Sergeant Gordon, a friend of Pugh's, to whom he had confided his grievances. Pugh, however, subsequently, at the preliminary investigation by Major Shepherd, and before the Court, modifies this statement to the effect that the offer of £5 to Anderson came from himself and not from Anderson. The Court has expressed its opinion that Pugh, seeing the turn affairs were likely to take, showed exceeding unwillingness to give damaging evidence against Anderson. The point as to whether the offer came from Anderson or Pugh appears to me immaterial in not altering the fact that, as sworn by Pugh, the money was intended to be given to Anderson in consideration of assisting him to get his land order.

Pugh's statement concerning the £5 to be given to M'Garvey appears to be supported by Pugh's evidence before the Court, and Anderson's letter to Pugh, bearing date 10th February, 1874. M'Garvey's memo. to Pugh, as also his, to all intents and purposes, false record with reference to Pugh's musketry.

There can be no doubt Anderson was aware that Pugh wanted certain drills for his 1869 efficiency, such efficiency being necessary for him to get his land order; therefore the position in which Anderson stands is this: that if he believed Pugh was *non-efficient* for 1869, he was assisting to defraud the Government; or if he believed Pugh to have been an *efficient* for 1869, he was assisting M'Garvey to defraud Pugh, by the levy of a species of black mail, ostensibly for services rendered by the former towards the latter in the ordinary discharge of his duty.

Having in view the evidence before the Court, it is difficult to believe that Anderson and M'Garvey were not in collusion; they both knew that, according to the returns, Pugh was apparently not entitled to his certificate of efficiency for 1869. There were also frequent interviews (according to Royall) at Anderson's place of business between Anderson and M'Garvey, and Anderson and Pugh. Again, there is Anderson's letter to Pugh demanding £5 for M'Garvey, and M'Garvey's memo. to Pugh (a person with whom, M'Garvey states in his evidence, he was unacquainted) as to his land order, and M'Garvey departs altogether from the ordinary routine, when sending instant and special information to a man he did not know. Again, Anderson's statement to Pugh that he was deficient of musketry, and M'Garvey giving him credit for musketry before he could possibly know that Pugh had gone through musketry. Again, the meeting of Anderson, M'Garvey, and Pugh, outside the place of business of the last-named, when a conversation of a somewhat recriminating character took place between Anderson and M'Garvey, which is not contradicted by either; and lastly, the testimony as to certain transactions involving monetary considerations which existed between Anderson and M'Garvey.

In conclusion, I have to inform your Excellency that I have discharged Sergeant-major M'Garvey from the Volunteer Permanent Staff for misconduct in this as also other matters connected with the issue of land orders.

As your Excellency would experience considerable difficulty in the perusal of the original minutes as taken by the Court I beg leave to submit copy of the same, which has been compared with the original, and its correctness duly certified by the Major of Brigade.

I have, &c.,

JOHN S. RICHARDSON, Lt.-Col.,

Commandant.

No. 2.

Lieut.-Colonel Richardson to Major Shepherd.

Brigade Office, Sydney, 19 February, 1874.

Sir, I HAVE the honor to return the accompanying letter from Lieutenant Talbot of the 9th, together with your report of the preliminary investigation of the 11th instant, relative to the conduct of Lieutenant Anderson and Sergeant-major M'Garvey, in connection with the issue of a certificate for grant of land to Gunner Pugh, No. 2 Battery.

Enclosed is a copy of the Brigade Order directing this matter to be investigated by Court of Inquiry together with copies of the accusation for Lieutenant Anderson and Sergeant-major M'Garvey.

I have, &c.,

JOHN S. RICHARDSON, Lt.-Col.,

Commandant.

No.

1. Documents for the information of the Court.
2. Copy of proceedings of the Court.
3. Statements in defence by Lt. Anderson and Sgt.-major M'Garvey.
4. Report of the Court.

No. 23.—Brigade Order,

Brigade Office, Sydney, 19 February, 1874.

UNDER the authority of His Excellency the Governor, bearing date 13 February, 1874, the Officer Commanding Volunteer Artillery Brigade will direct a Court of Inquiry, consisting of a Field Officer and two Captains, to assemble at an early date, to investigate and report upon the conduct of Lieutenant Anderson, No. 2 Battery, and Sergeant-major M'Garvey of the Permanent Staff, in connection with the issue of a certificate for grant of land to Gunner Pugh, No. 2 Battery.

Lieutenant Anderson and Sergeant-major M'Garvey to be warned, and furnished with a copy of the accusation.

All evidence in the case to be directed to attend.

By command,

W. B. B. CHRISTIE, Capt.,
Major of Brigade.

Lieutenant Talbot to Major Shepherd.

Sir,

Sydney, 117, Phillip-street, 9 February, 1874.

I HAVE the honor of reporting, although reluctantly, information received by me from two of the members of my battery, and which (if true) I consider I should be equally to blame as those to whom I am compelled to call your attention, were I not to lay such information before you, it being as follows:—

Sergeant-major Sutton informed me, and Gunner Pugh confirmed the statement, that Pugh, on asking Lieut. Anderson about his certificate for 1869 (and to whom I gave Pugh a duplicate, being efficient for that year), was informed by that officer on the first occasion "that he would make it all right if he (Pugh) gave him £5"; while on the second occasion "he told Pugh he would have to give M'Garvey £5 also." Lieut. Anderson offered likewise, either to get, or give him £100 for his order, stating that they were coming down in price fast; this however was settled by Sergt.-major Sutton, who took Pugh to Mr. Fahey and obtained £118 cash for it. Pugh, it appears, promised to give the £10, as it was a good bit of money for a poor man, and he could thus afford to give it. I told him not to give one farthing, as I would see into this matter. On being thus informed I consider this as the only course left for an honest man to adopt, and to save any imputation being cast on my character, by overlooking (if true) any such dishonest practice.

Leaving the matter thus in your hands to deal with,—

I have, &c.,

P. TALBOT, Com. No. 2 Battery,
N.S.W.V.A.

For the Commandant's information. On receipt of Lieut. Talbot's letter I directed that officer to warn Sergt.-major Sutton and Gunner Pugh to attend at this office, when I inquired into the case and append copy of the facts solicited. It appears to me that these are so important as to require to be dealt with by a Court of Inquiry.—P.L.C.S., Major, Com. V.A., 11/2/74.

Forwarded for Major Clarke's information and guidance.—P.L.C.S., Major, 27/2/74. Returned to O.C.V.A.—M.W.S.C., Major, 5/3/74. Returned at request of Commandant.—P.L.C.S., Major, Com. V.A., 5/3/74.

Volunteer Artillery Office, Sydney, 11 February, 1874.

PRELIMINARY investigation regarding the accompanying letter of Lieut. Talbot, 9/2/74.

Gunner Pugh states: I experienced some difficulty in getting my land order in consequence of not having my certificate for 1869. I was efficient for that year and made application to the Brigade Office through Lieutenant Anderson for my certificate for it, and offered him £5 if he would get it for me. Lieut. Anderson told me he was informed by Sergt.-major M'Garvey that I was deficient one inspection, a shot practice, and musketry instruction; but that for £5 he (M'Garvey) would make it all right, as he usually got that amount for looking up the returns. I told him I knew different, and that I was efficient on the battery books for that year, having been told so by Lieut. Syme and Sergt.-major Sutton, who had examined the books at the Brigade Office. Lieut. Anderson told me he knew I wanted the drills, but that M'Garvey always got something for looking up the returns, and he would offer him £5 in my interest for doing so, it would then be all correct, and that M'Garvey had got £5 in a case where he had had no trouble at all. I then agreed to pay the £10 on getting my land order, and that in the event of his (Lieut. Anderson) selling it for me he should have all he could get over £100. About three weeks afterwards I was told by Sutton that I could get £118 for the order, upon which I sold it to Mr. Fahey for that amount. I have received a note from Anderson stating that he had paid M'Garvey £5, and asking me to reply by bearer. Up to this time I have paid nothing.

Sergt.-major Sutton having heard Lieut. Talbot's letter read, confirms the statements it contains, with the exception of that portion which states that "Sutton took Pugh to Fahey," he (Sutton) having merely told Pugh that he could get £118 for his land order.

True statement of evidence.

P. L. C. SHEPHERD, Major,
Com. Vol. Artillery.

M.W.S.C., Major, President.

RECEIVED from F. Fahey the sum of one hundred and eighteen pounds sterling, for Volunteer Land Order.—Dated this 28th January, 1874.

JOHN PUGH.

[Enclosure

Sl

A.

Letter handed in by Gunner Pugh, 13th March, 1874.

Dear Sir,

574, George-street, Sydney, 10/2/74.

You have not paid M'Garvey, as I advanced the £5 some three weeks ago. Reply by bearer, and oblige,—

M. W. S. CLARKE, Major, President. Certified by Lieutenant ANDERSON.—M.W.S.C.

WM. ANDERSON.

Envelope accompanying Lieutenant Anderson's letter, 10/2/74; handed in by Gunner Pugh, certified by Lieutenant Anderson. M.W.S.C., Major, President, 13th March, 1874.

B.

MR. J. PUGH,

Davenport Boot Factory,

Camperdown.

Handed in by Gunner Pugh on 20th March.—M. W. S. CLARKE, Major, President.

Mr. Pugh,—I expect your land order will be ready this afternoon; if not, you won't get it before Tuesday, as the office will be closed to-morrow and Monday. If you like to chance to come in, I will be at the office from half-past 2 till half-past 4.

D. M'G.

Memo.

Sydney, Brigade Office, 16/3/74.

There are forwarded herewith, for the information of Court of Inquiry which is investigating circumstances connected with Gunner Pugh's case for land order—

- 3 certificates of efficiency
- 1 incomplete do.
- Memo. of Sergt.-major M'Garvey.
- Dec. quarter return, 68, No. 2 Battery
- 4 quarterly do. 69
- 1 annual 69
- 1 musketry 69.

By Command,
W. B. B. CHRISTIE, Captain,
Major of Brigade.

M. W. S. CLARKE, Major, President, 20/3/74.

Mr. John Pugh to Major Shepherd.

Sir,

St. John's Road, Forest Lodge, Glebe, Sydney, 17 January, 1874.

I HAVE the honor to apply for the issue of a land order, to which I am entitled under the Volunteer Act, in virtue of service of five (5) years, from 1868 to present time. I attach herewith my efficiency certificates for the years 1870, 1871, and 1872, in original, and duplicate certificate for 1869; the original certificate for that year having, I am informed on inquiry at the Brigade Office, been mislaid, and never having reached my hands.

4 Enclosures.

I have, &c.,
JOHN PUGH,

Gunner, No. 2 Battery, N.S.W. Volunteer Artillery.

Forwarded for the approval of the Officer Commanding Vol. Artillery,—P.T., Com. No. 2 B., 20/1/74. Forwarded for consideration of Commandant.—P.L.C.S., Major, Com. V.A., 22/1/74.

Gunner John Pugh joined No. 2 Battery on 1st October, 1868.

1869.	1870.	1871.	1872.	1873.
Battn. ... 5	Battn. ... 6	Battn. ... 6	Battn. ... 6	Battn. ... 10
Comp. ... 6	Comp. ... 3	Comp. ... 4	Comp. ... 2	Comp. ... 5
Gun 14	Gun 21	Gun 11	Gun 12	Gun 12
S.P. 1	S.P. 2	S.P. 2	S.P. 2	S.P. 0
Insp. 1	Insp. 1	Insp. 2	Insp. 2	Insp. 1
Musk. ... 1				

27E. D.M'G., S.-M., 23/1/74. 33E. Issued.—J.S.R., Lt. Col., 28/1/74. 25E. 24E. Cer. issued, 28/1/74, p. 23. 28E.

ARTILLERY VOLUNTEER CORPS.

Certificate of Efficiency.

We hereby certify:—

- (1) That Gunner JOHN PUGH, of No. 2 Battery Volunteer Artillery, has attended, during the twelve months ending the 31st December, 1869, twenty-eight Drills, ordered by the Commanding Officer.
- (2) That he possesses a competent knowledge of Squad and Company Drill, including the Manual and Platoon Exercises, and also of Gun Drill.
- (3) That he attended the Gun Practice of his Battery, and possesses a complete knowledge of the general duties of a Gunner.
- (4) That he was present at an Inspection of the Corps.
- (5) That he has been through the required course of Musketry.

Sydney, 1st January, 1870.
Duplicate—P.T.

PAUL TALBOT,
Commanding No. 2 Battery, Volunteer Artillery.
ARTILLERY

ARTILLERY VOLUNTEER CORPS.

Certificate of Efficiency.

We hereby certify :—

- (1.) That Gunner J. Pugh, of No. 2 Battery, Volunteer Artillery, has attended, during the twelve months ending the 31st December, 1870, thirty-three drills, ordered by the Commanding Officer.
- (2.) That he possesses a competent knowledge of squad and company Drill, including the Manual and Platoon Exercises, and also of Gun Drill.
- (3.) That he attended the Gun Practice of his Battery, and possesses a complete knowledge of the general duties of a Gunner.
- (4.) That he was present at an inspection of the Corps.
- (5.) That he has been through the required course of Musketry.

WILLIAM DEANE, Capt.,
Commanding No. 2 Battery Volunteer Artillery.

JOHN S. RICHARDSON, Lieut.-Col.,
Volunteer Permanent Staff.

Sydney, 1st January, 1871.

ARTILLERY VOLUNTEER CORPS.

Certificate of Efficiency.

We hereby certify :—

- (1.) That John Pugh, of No. 2 Battery, Volunteer Artillery, has attended, during the twelve months ending the 31st December, 1871, twenty-five drills, ordered by the Commanding Officer.
- (2.) That he possesses a competent knowledge of Squad and Company Drill, including the Manual and Platoon Exercises, and also of Gun Drill.
- (3.) That he attended the Gun Practice of his Battery, and possesses a complete knowledge of the general duties of a gunner.
- (4.) That he was present at an inspection of the Corps.
- (5.) That he has been through the required course of Musketry.

PAUL TALBOT, Lieut.,
Commanding No. 2 Battery, Volunteer Artillery.

JOHN S. RICHARDSON, Lieut.-Col.,
Volunteer Permanent Staff.

P.L.C.S., Maj., Com., V.A.

Sydney, 1st January, 1872.

ARTILLERY VOLUNTEER CORPS.

Certificate of Efficiency.

We hereby certify :—

- (1.) That Gunner John Pugh, of No. 2 Battery, Volunteer Artillery, has attended, during the twelve months ending the 31st December, 1872, twenty-four drills, ordered by the Commanding Officer.
- (2.) That he possesses a competent knowledge of Squad and Company Drill, including the Manual and Platoon Exercises, and also of Gun Drill.
- (3.) That he attended the Gun Practice of his Battery, and possesses a complete knowledge of the general duties of a Gunner.
- (4.) That he was present at an inspection of the Corps.
- (5.) That he has been through the required course of Musketry.

P. TALBOT, Lieut.,
Commanding No. 2 Battery, Volunteer Artillery.

JOHN S. RICHARDSON, Lieut.-Col.,
Volunteer Permanent Staff.

Sydney, 1st January, 1873.

ARTILLERY VOLUNTEER CORPS.

Certificate of Efficiency.

We hereby certify :—

- (1.) That John Pugh, of No. 2 Battery, Volunteer Artillery, has attended, during the twelve months ending the 31st December, 1869, twenty-four drills, ordered by the Commanding Officer.
- (2.) That he possesses a competent knowledge of Squad and Company Drill, including the Manual and Platoon Exercises, and also of Gun Drill.
- (3.) That he attended the Gun Practice of his Battery, and possesses a complete knowledge of the general duties of a Gunner.
- (4.) That he was present at an inspection of the Corps.

PAUL TALBOT, Lieut.,
Commanding No. 2 Battery, Volunteer Artillery.

JOHN S. RICHARDSON, Lieut.-Col.,
Volunteer Permanent Staff.

Sydney, 1st January, 1870.

Gunner Pugh attended in 1869 as under, and hence should have received a certificate for 1869.

Battn. Parades	5
Comp.	6
Gun	14
S. Pract.	2
Inspn.	1

Total 28

17/1/74.

D. M'G., S.-M.

Duplicate forwarded, Gunner Pugh being entitled, he having lost the original.—P.T., Com., No. 2 B., 19/1/74.

SHOT

SHOT PRACTICE RETURNS, 1869.

LIST of Members of No. 2 Battery who attended Shot Practice.

27th February.	21st August.	11th September.
1 Ainsworth	1 Ainsworth	1 Brevett
2 Brevett	2 Barry	2 Clarke
3 Clarke	3 Bullon	3 Dohrman
4 Cork	4 Brevett	4 Elphinston
5 Campbell	5 Campbell	5 Gregory
6 Dohrman	6 Clarke	6 King (2)
7 *England	7 Cork	7 M'Carthy
8 Evers	8 Dohrman	8 M'Burnie
9 Ellis	9 Drinkwater	9 M'Elwain
10 Gordon; E. W.	10 Duckett	10 Partridge
11 Gordon	11 Ellis	11 Richards
12 Hines	12 Easton	12 Reid
13 Jerrems	13 Elphinston	13 Wainwright
14 Meads	14 Griffiths	14 Capt. Deane.
15 Muir	15 Gregory, E.	
16 Nash (2)	16 Gordon	27th October.
17 Proctor (3)	17 Jerrems	1 Anderson
18 Reid	18 Laidlaw	2 Dowling
19 Strange	19 Lewis	3 Evers
20 Sutton	20 Moore	4 Nash
21 Talbot	21 Muir	5 Talbot.
22 Vernon.	22 Nash	
	23 Noble	11th December.
	24 Pugh	After Association Matches in which
	25 Paley	M'Burnie, Clarke, and Sutton competed.
	26 Proctor	1 Gordon.
	27 Reid	
	28 Skinner	
	29 Spence	
	30 Sutton	
	31 Strange	
	32 Teeson	
	33 Vernon	
	34 Withers	
	35 Waddell	
	36 Weldon	

N.B.—In the quarterly return for March, King's and Teeson's names appear and Clarke and Meads marked L.

*England's name does not appear in roll of Battery for 1869.

N.B.—In the quarterly—the total is written 38; the addition makes 39.

The three extra names are Capt. Deane's, Cunningham's, and Wainwright's. These had no practice.

M. W. S. CLARKE, Major,
President.

PARADES AND DRILLS, 1869.

Gunner John Pugh, No. 2 Battery.

	Quarterly returns.	Annual before being tampered with.	Annual after tampering.	M'Garvie.	
				Certificate to Talbot.	Certificate to Brigade Office.
Battalion	4	*5	5 or 4	5	5
Corps.....	6	6	6	6	6
Gun drills.....	†9	†9	9 (to) 14	14	14
Shot practice	1	1	1 (to) 2	2	1
Inspection.....	1	1	1	1	1
Totals.....	21	†22	27	28	27

* This being caused by a slip of the pen, and being overlooked in adding up. This is evident as no letter is attached to it showing nature of parade.

† These "figures" have not been altered.

M. W. S. CLARKE, Major,
President.

N.B.—See, however, analysis of quarterlies, where the above Battalion shot practice figures may be varied without altering the totals.

ANALYSIS.

ANALYSIS.

Quarterly Returns, 1869, No. 2 Battery.

Gunner John Pugh.

January... 10 }
 February . 9 } Field gun drills under Recruit Drills.
 March ... 6 }

Efficiency Drills.

January	nil	} Total.
February ..	nil	
March	1 Com. F.G. ; 1 Com. Off. F. G.	
April	2 F.G. ; 1 Com. Off.	
May	2 Com. Off. ; 1 Com. 1 F.G.	
June	3 F.G. ; Inspect. 1	
July	2 G.G. ; 2 Company	
August	1 G.G. ; 1 Company ; 1 Shot practice	
September ...	No attendance ; but afterwards 1 Shot Practice inserted, but interpolated as "additions" prove. This may account for 2 being given in Annual—so that the 22 there given may be caused by this figure, not by slip of pen, as mentioned in analysis of that Return.	
October	1 Company G.G.	
November	nil	
December ...	nil	
21		

M. W. S. CLARKE, Major, President.

ANALYSIS.

John Pugh's Drills Parades, 1869.

Annual Return.

Battalion.....	March... 1 F.G.	} 4. The figure 1 Sept. Qr. is a slip of the pen, but has been added up and included in total of 22; and M'Garvey has included it in his certificates to Lieut. Talbot and to the B. O.
	June ... 2 F.G. ; 1 B.	
	Sept. ... 1	
	Dec. ... nil	
Corps	March... 1 C.	} 6
	June ... 1 C.	
	Sept. ... 3 C.	
	Dec. ... 1 G.G.	
Gun Drills	January 10	} Recruit.
	February 9	
	March 6	
	April ... 2	
	May ... 1	
	June ... 3	
	July ... 2	
	Aug. ... 1	
	Sept. ... 1	
	Oct. ... 1	
	Nov. ... 3	} Interpolated ; see Qy. Returns.
Shot Practice ...	Mar. Qr. 1	
	Sept. ... 1	} 1 Interpolated ; see Shot P. Register ; also interpolated in Quarterly
Inspection	December	
	1 Should be June ; see Quarterly Returns.	
	Total	21
*Add clerical error	1	22

M. W. S. CLARKE, Major, President.

*See also analysis of Quarterlies.

EFFICIENCY CERTIFICATES.

Gunner John Pugh.

Taken from the documents.

	1869. Original.	1869. Duplicate.	1870.	1871.	1872.
Number of certificate	39	...	36	46	40
Number of drills	24	28	33	25	24
Signature	Talbot.	Talbot.	Deane.	Talbot.	Talbot.
Initials	T.B.	...	S.H.	S.H.	T.B.

The handwriting on No. 36 for the year 1870 is Lieutenant Anderson's.

M. W. S. CLARKE, Major,
 President.

As

As the return stands at present with "additions," &c.

Number.	Rank and name.	Battalion Parades for Quarter ending				Parades of the Corps for Quarter ending				Gun drills.												Shot practice for Quarters ending		Official inspection Dates.		Musketry instruction.	Total Parades and Drills.	Classed as efficient, 1 Jan., 1870.	Remarks.					
		31 Mar.	30 June.	30 Sept.	31 Dec.	31 Mar.	30 June.	30 Sept.	31 Dec.	Jan.	Feb.	March.	April.	May.	June.	July.	August.	Sept.	October.	Nov.	Dec.	Totals.	31 Mar.	30 June.	30 Sept.					31 Dec.	19 June.	18 Dec.		
56	Gr. John Pugh	1 f.g.	2 f.g. 1 b.	1*	...	1c	1c	3c.	1 g.g.	Recruit.			10	9	6	2	1	3	2	1	1	1	3	...	9	1	...	1	...	1†	...	22	...	This 22 caused by adding in 1 B. Sept. Qr., which is a clerical error.

* Clerical error; (slip of pen).

† Clerical error; should be June.

As it should stand according to quarterlies (originals and copies).

56	Gr. John Pugh	1 f.g.	2 f.g. 1 b.	1c	1c	3c.	1 g.g.	Recruit.			10	9	6	2	1	3	2	1	9	...	1	...	1	...	1	...	21	0	
----	---------------	--------	-------------	-----	-----	----	----	-----	--------	----------	--	--	----	---	---	---	---	---	---	---	-----	-----	-----	---	-----	---	-----	---	-----	---	-----	----	---	--

Interpolations and alterations.

56	Gr. John Pugh	6	...	
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V. A. BRIGADE ORDER.

V.A.B.O.

Volunteer Artillery Office, Sydney, 8 January, 1874.

LIEUTENANT Talbot, No. 2 Battery, having returned to duty on the 1st instant, will resume command of that Battery from the above date.

By Order,
C. A. W. LETT, Adj., V. A.

EXTRACT from Regulations 1867 (in force till 28 April 1871).

Recruit para. 59 is defined.—“A Volunteer who has never been returned as efficient in an annual Return of the Corps.”

For Recruits—24 drills of which 14 gun drills (in addition to preliminary Recruit drill and instruction in musketry.)

Recruits No. 2 Battery and Dismissals.

<p>Decr. Quarter.</p> <p>Recruits—</p> <p>Meads Thos.</p> <p>Easton Henry</p> <p>Pugh John</p> <p>Clark Geo.</p>	<p>1868.</p>	<p>Decr. Quarter</p> <p>Resigned—</p> <p>Hurst</p> <p>Bryan</p> <p>Burter</p> <p>Dillon</p> <p>Foster</p> <p>Helmirsch</p> <p>M'Lenhan</p> <p>Smith.</p>
<p>Recruits—</p> <p>March—Ducket Wm.</p> <p>Ellis Alfred</p> <p>Bailey Alfred</p> <p>Laidlaw Thos.</p> <p>Noble John</p> <p>Spence R. K.</p> <p>Thompson Francis</p> <p>June— Fenton Wm.</p> <p>Kirkby Samuel</p> <p>Sept.— Lees George</p> <p>Dec.— Nil</p>	<p>1869.</p>	<p>Resigned, &c.—</p> <p>March— M'Kay</p> <p>Brady</p> <p>Dymock</p> <p>June— Howarth</p> <p>Price</p> <p>O'Brien</p> <p>Beattie</p> <p>Wiseman</p> <p>Sept.— Richards*</p> <p>Cunningham*</p> <p>Dec.— Lees George.</p>

* In the Quarterly for September, the portion containing this information has been torn out. I have derived the above information from copy in possession of Lt. Talbot. It has reference to Cunningham's matter, referred to in evidence; Q. 294, and reported on separately 10/4/74.

S.-major Sutton,

30 January, 1874.

WILL you be particular in seeing that Pugh gets a receipt from each of the parties he gives the £5 to, telling them if they refuse that the other one will not be satisfied he has paid the sum as promised—or else have a witness to see the money is paid to them, stating at the time that it is according to what he agreed to give them? I am determined to put this system of imposition to an end.

P. TALBOT, Com. No. 2 Battery.

To S.-major Sutton, No. 2 Battery,—

Memo.—

Sydney, Circular Quay, 10 February, 1874.

I HAVE to request that you do appear, together with Gunner Pugh, at the Brigade Office, at noon to-morrow, Wednesday, in terms of Major Shepherd's memo, which I now enclose; and that you give notice of the same to Gunner Pugh without fail.

P. TALBOT, Com. No. 2 Battery,

N.S.W., V.A.
Mr.

Mr. R. L. Elphinston to Major Clarke.

Sir,

399, George-street, 9 April, 1874.

I WISH to inform you, in reference to the inquiry held last night, that on looking over some copies of letters, and on referring to the secretary's minute book, I find I was not appointed secretary till March, 1870, and I resigned in February, 1872.

I feel confirmed in the statements I made that I know nothing of the efficiencies, though it is probable and possible that remarks were made in my presence of which I took no notice, not being an interested party.

I have, &c.,

ROBERT L. ELPHINSTON.

Sergeant Matchett to Major Clarke.

Sir,

Volunteer Artillery Office, 10 March, 1874.

I BEG most respectfully to state that I was orderly sergeant to the Court of Inquiry on the 9th instant, relative to Lieutenant Anderson, No. 2 Battery, and Sergeant-major M'Garvey, Permanent Staff; when gunner J. Campbell, No. 2 Battery, a witness in the case, speaking to Captain Fahey about his case arising out of his conduct at the late camp, Ham Common, he (Gunner Campbell) said, "the Staff were a lot of b—y scoundrels, or a lot of scoundrels, and if he had the same to go through again he would draw his sword and give some of them a mark;" when I called his attention to the fact that if he did not use more moderate language relative to the Staff, I should request him to go down stairs, he at once challenged me. I then reported to Major Clarke, the President of the Court, his conduct and language. Captain Fahey and a Mr. Royal were present, and heard all that passed.

W. MATCHETT,

Sergeant, Volunteer Artillery Staff.

Musketry.

OFFICIAL RETURN, No. 2 BATTERY, commenced 10th November, 1869, completed 31st January, 1870.

1. Barry	7. Jerrens	12. Pugh
2. Clarke	8. Laidlaw	13. Paley
3. Duckett	9. M'Carthy (not complete)	14. Spence
4. Ellis	10. Noble	15. Skinner
5. Easton	11. Oram	16. Teeson.
6. Gregory		

M. W. S. CLARKE, Major,
President

PRICES OF LAND ORDERS.

EXTRACTED from *Sydney Morning Herald*.

Prices wanted.

8th January, "Rex," £120.
 " H.K.W., £127.
 " A.C., £150.
 9th " J.S.S., £125.

Orders wanted by—

F. Fahey & Co., 10th January, "Our price to-day is" £112
 24th " £118
 27th " £118
 " Marsden," 20th " wanted 3 at £115

M. W. S. CLARKE, Major,
President of Court.

Lieutenant Talbot to Major Shepherd.

Dear Shepherd,

Sydney, Circular Quay, 29 January, 1874.

I HAVE been very anxious to see you since Wednesday evening to ask your advice in a matter that has been brought under my notice by two members of No. 2 Battery, the correctness of which I cannot dispute, as follows:—

A gunner of the battery on applying for his land order, and who had lost sight of his efficiency ticket for 1869, and to whom I gave a duplicate, was informed that he was not efficient that year, but it would be made right, "or to that effect," if he would give Lieutenant Anderson £5; and, as I understand, subsequently seeing him said that he would have to give another £5, to M'Garvey, which he tells me he promised to do, for that was a good bit of money to a poor man—that orders were going down fast—and that L. A. could get him £100 for it. But fortunately this was told S.-m. Sutton, who took him to Fahey and obtained £117. On this being told me I informed the person, Pugh, not to give one farthing. Now, I ask you whether such a base action as this, from an officer, should not be seen into, otherwise my silence may brand me for not taking notice, or action, in the matter, on being so informed?

Let Harry Deane know when I can see you at the office, as my blood boils, and if borne out Anderson or I must leave the Battery.

No doubt there are many other cases similar.

Yours, &c.,

P. TALBOT.

It is clearly Lieut. Talbot's duty to report the circumstances at once should he have good grounds for believing the statement to be true.—P.L.C.S., Major, Com. V.A., 2/2/74.

Handed

Handed in by Gunner Pugh, with memorandum from S.-m. M'Garvey, March, 1874.—M.W.S. CLARKE, Major, President.

MR. J. PUGH,
Wright, Davenport, & Compy.,
Boot Factory,
Glebe.

Gunner Pugh attended in 1869 as under, and hence should have received a duplicate for 1869 :—

Battery Parades	...	...	...	...	...	5
Company	...	...	...	...	...	6
Gun	...	...	...	...	...	14
Shot Practice	...	...	...	...	...	2
Inspection	...	...	...	...	...	1
						28

D. M'G., S.-M., 17/1/74.

Duplicate forwarded Gunner Pugh, being entitled, he having lost the original.—P.T., Com. No. 2, 19/1/74.

No. 3.

PROCEEDINGS of a Court of Inquiry, assembled at the Volunteer Artillery Brigade Office on the 9th March, 1874, at 4 p.m., by order of the Commandant, under the authority of His Excellency the Governor, bearing date the 13th February, 1874, to investigate and report upon the conduct of Lieutenant Anderson, of No. 2 Battery, and Sergeant-major M'Garvey, of the Permanent Staff, in connection with the issue of a Certificate for Grant of Land to Gunner Pugh, of No. 2 Battery.

PRESIDENT :

Major M. W. S. CLARKE.

MEMBERS :

Captain JOHN MACDONALD, Jun., No. 10 Battery.
Captain B. C. BOAKE, No. 7 Battery.

THE Court, having assembled in pursuance of the above order, proceeded to read the Brigade Orders appointing the Court in the presence of Lieutenant Anderson and Sergeant-major M'Garvey and the witnesses present, Lieutenant Anderson requested permission to have, as Counsel, Dr. Patterson, instructed by Mr. W. P. Moore. The Court permitted Dr. Patterson to be present as a matter of courtesy only, and explained that no addresses were to be made, nor were any questions to be put, except through the Court.

Both the accused stated they had no objection to be tried by the present Court. By consent of the Court and accused, Gunner Pugh was allowed to give evidence in plain clothes, and sitting. But orders were given that all witnesses were to appear in undress uniform during the remainder of the sittings of the Court. The Members of the Court made the usual declarations. The oath, as permitted by the Volunteer Act of 1867, was administered to Gunner Pugh, in accordance with Brigade Order.

Both the accused, when asked if they had received copies of the charges, answered in the affirmative; and, when asked, each severally denied the truth of the statements contained in Lieutenant Talbot's letter of the 9th February, 1874.

The Court was informed that Lieutenant Talbot had left town on urgent private business, and could not attend; but notice to attend had been sent to his residence. The accused and Dr. Patterson were present all through the investigation.

M.W.S.C., Major,
President.

Gunner John Pugh, No. 2 Battery, Volunteer Artillery, duly sworn, states :—

I am an efficient Volunteer. I have received my certificate for grant of land. I had a slight difficulty in obtaining the certificate. I never had the 1869 certificate of efficiency. I joined the Battery (No. 2) September 3rd, 1868. My first certificate of efficiency was never received by me. I applied to Lieutenant Talbot for it early in 1870, when the list of efficient was posted on the black-board, when I found that my name was not on it. He referred me to Lieutenant Syme. The next night, after my name was added to the list, Lieutenant Syme informed me that he had been to the Brigade Office and ascertained that I was efficient, and that a certificate was not necessary. At the beginning of this year I considered I was entitled to a grant of land, and I was informed then by a friend (Sergeant Gordon) that I could not obtain it without producing the four previous certificates. I then applied personally to Lieutenant Talbot for the missing one in the month of January last—rather late in the month. He replied, saying he was too busy just then, but would see about it. I then called on him a second time. He then said it was all right; you are bound to get your land order. I asked him

him for a duplicate certificate for 1869. He said then that he would not sign a certificate until he examined the returns, to ascertain whether I was actually efficient or not. Eventually he gave me a duplicate. I applied to Lieutenant Anderson respecting the certificate for 1869, because Lieutenant Talbot referred me to somebody in the Battery, to produce some evidence to satisfy him (Lieutenant Talbot). I applied to Lieutenant Anderson in the month of January. I told him that Lieutenant Talbot would not sign a certificate unless he had a certificate from an officer of the Battery, or from the Brigade Office, that I was efficient for 1869, and requested him to examine the returns, and furnish the information next day. That is all I said to Lieutenant Anderson on that occasion. Lieutenant Anderson said to me, "If you get your land order what will you do with it?" I said I would sell it. He said, "What do you expect to get for it?" I replied as much as I could. Nothing more occurred on this occasion. I got the particulars from Lieut. Anderson which Lieut. Talbot required, and took the paper to the latter. I had several interviews with Lieut. Anderson between these two periods. On the second or third occasion that I spoke to Lieut. Anderson, I asked him to undertake the sale of my land order when I got it. He asked me first what I was going to do with the land order when I got it. He said that they were going down in value. I told him he could have all over £100 that he got for it. I made that offer to Lieut. Anderson previous to my getting the land order. I knew nothing about the value of these orders in the market, but thought £100 a fair sum. When Lieut. Anderson gave me the memorandum required by Lieut. Talbot, which he did without any difficulty or delay, Lieut. Anderson told me he had been down to the Brigade Office to make inquiries respecting the returns for 1869. He said he asked Sergeant-major M'Garvey for the returns, and that Sergeant-major M'Garvey said I wanted one shot practice, one half-yearly inspection, and musketry. I told Lieut. Anderson that I knew better, and he agreed with me; but he said that Sergeant-major M'Garvey usually got something for looking up the returns. I asked how much? He said £5. He said he got more than that sometimes. I said that it was a great shame, but as it was the custom let him have it. Lieut. Anderson replied if it was his case he would not give him a half-penny. I authorized Lieut. Anderson to pay this money to Sergeant-major M'Garvey as soon as he (Lieut. Anderson) obtained the land grant. When I found out that I could get more than £100 for the land order I called on Lieut. Anderson, and said I can get more than you can for the land order. He said he was glad of it. I said, "You have taken a deal of trouble, I will give you £5 for the trouble you have taken in the matter, to wit, going down to the Brigade Office from time to time, &c., and for loss of time in his private business." He made no reply. Shortly after this I received my land order from Mr. Holmes in the Brigade Office. As soon as I got outside the door I saw Sergeant-major Sutton, who had accompanied me to the office. He said, "I believe you are giving £10 to get your land order?" I replied, "Yes." Sergeant-major Sutton said it was a great shame; that that game had been going on for a long time, and that he would put a stop to it. He said it was a shame for Sergeant-major M'Garvey to extort money out of me, and that it was a shame for Lieut. Anderson to take money from me. I replied, "It was because I withdrew the sale of the land order from Mr. Anderson that I considered it a fair payment." Sergeant-major Sutton told me he had a verbal order from Lieut. Talbot, forbidding me to pay any money to Lieut. Anderson. He told me he could get £117 for my land order. I was to meet him in half-hour after I got the order, for the purpose of disposing of it; not meeting him, as by appointment, I went down to Mr. Fahey, and sold it for £118. Lieut. Talbot told me not to pay any money to Mr. Anderson, and though I considered Mr. Anderson was entitled to the £5, yet I took Lieut. Talbot's advice, and did not pay Lieut. Anderson, and have not paid him since. I did not pay him the money, because I heard from Lieut. Talbot that if I did so a Court of Inquiry would result. [Lieut. Talbot's letter (9/2/74) read to witness.] The statement "that he (Lieut. Anderson) would make it all right if he (Pugh) gave the former £5", is not correct. The words "he told Pugh he would have to give M'Garvey £5 also" are not perfectly correct; what Lieut. Anderson did say to me was M'Garvey usually gets a fee of £5, but as far as I am concerned I would not give him a half-penny, because he is not entitled to it.

Portion of preliminary examination read to witness.

On one occasion Lieut. Anderson told me he knew I wanted the drills; this has reference to the year 1868. Lieut. Anderson said he would offer Sergt.-major M'Garvey £5 in my interest, and that he (M'Garvey) had got £5 in a case where he had less trouble. I agreed to pay the £10, on getting my land order; I received a note from Lieut. Anderson to the following effect:—"Sir,—You have not paid M'Garvey the £5, as I myself paid him some three weeks previous. Please return answer by bearer."

JOHN PUGH.

The witness was ordered to attend when the Court again met—with the letter referred to in his evidence.

The Court adjourned at 8:15 p.m., till 4 p.m. Friday, 13th March, 1874, and directed Sergt. Gordon to be summoned and subsequently Major Shepherd.

M. W. S. CLARKE, Major,
President.

JOHN MACDONALD, JUNR., Capt.,
10 Battery, V.A.

B. C. BOAKE, Capt.,
No. 7 Batt., V.A.

THE Court in pursuance of adjournment, opened at 4:45 p.m., 13th March, 1874, in presence of the accused, and proceeded with further examination of Gunner John Pugh.

By the Court:—

1. Q.—Do you produce the letter referred to by you on the 9th March?
A.—Yes. Letter produced and marked A.
2. Q.—To Lieut. Anderson: Do you object to admit the authorship of this letter?
A.—No.

3. Q.—To Gunner Pugh: Do you swear positively that Lieut. Anderson never said, "I will make it a right if you give me £5," or words to that effect?

A.—Yes.

4. Q.—Do you swear positively that you never at any time offered Lieut. Anderson £5, to induce him to facilitate the issue of your Certificate of Efficiency for 1869?

A.—I swear positively *I did* offer that sum for that purpose.

5. Q.—Did Lieut. Anderson ever either directly or indirectly give you to understand that in consideration of your giving him £5 he would make it all right about your Certificate of Efficiency for 1869, or Certificate for Grant of Land?

A.—No.

6. Q.—Did Lieut. Anderson ever lead you to believe he would do your work if he were bribed?

A.—No.

7. Q.—Why did Sergeant-major Sutton accompany you to the Brigade Office, as you swore on the 9th?

A.—If I said so I made a mistake—I only met him at the Brigade Office.

8. Q.—Did you know of your own knowledge that Lieut. Anderson had paid Sergt.-major M'Garvey £5?

A.—No.

9. Q.—Do you know of your own knowledge that Lieut. Anderson has paid £5 to Sergt.-major M'Garvey?

A.—No.

10. Q.—Have you ever taken any trouble to find out whether the money was paid, or did you take Lieut. Anderson's letter for it without inquiry?

A.—Yes, I did take some steps to inquire; I asked Sergt.-major M'Garvey in the presence of Lieut. Anderson, if he (Sergt.-major M'Garvey) received the £5. He (Sergt.-major M'Garvey) replied, he did not know anything about it. Lieut. Anderson then asked him what about the goods he had been having on account of the £5. He (Sergt.-major M'Garvey) replied, he would return them. Lieut. Anderson then told me to never mind the money—he would be at the loss of it.

11. Q.—What reply did you send by the bearer of Lieut. Anderson's letter?

A.—None, as the letter came by post, as per covering envelope marked B.

(Witness requested to remain, which he did during Major Shepherd's examination.)

Major Shepherd called in, sworn, and examined:—

12. Q.—Do you recollect the preliminary investigation of Gunner Pugh, No. 2 Battery, on 11th February last?

A.—Yes.

13. Q.—Do you recollect taking down these words from Gunner Pugh—"Made application to the Brigade Office, through Lieut. Anderson, for my certificate for 1869, and offered him £5 if he would get it for me"?

A.—Yes. I was particular in taking down his evidence, and warned him that he would possibly have to give evidence on oath on this matter. I took down his evidence as nearly as possible *verbatim*. That applies to the whole investigation.

14. Q.—What did you understand the words "the drills" referred to?

A.—I understood them to refer to—1 Inspection, Shot Practice, and Musketry Instruction for 1869.

15. Q.—Did Gunner Pugh mention any other year except 1869 to you?

A.—Not to my recollection.

16. Q.—Did he ever refer to 1868, the year of his joining No. 2 Battery, as one for which he was not efficient?

A.—I do not think so. I am quite positive the year 1869 was the one referred to by Gunner Pugh.

17. Q.—If Gunner Pugh states that the drills said to be "wanted" belong to 1868 instead of 1869, is that statement correct?

A.—Certainly not.

18. Q.—Did he ever mention in the course of your inquiry anything about 1868?

A.—I do not believe he did. If he did, I should certainly have taken it down.

Cross-examined by Lieut. Anderson:—

19. Q.—Was Gunner Pugh "flurried," that is, confused, during his examination on 11th February.

A.—No; he appeared to give his evidence very reluctantly; in fact, I remember his saying he did not wish to say anything that would injure Lieut. Anderson.

20. Q.—At what hour on the 11th February did Gunner Pugh give his evidence?

A.—Witness here referred to the Order Book, and then said between 12 noon and 1 p.m.

21. Q.—Did you put any leading questions to him?

A.—I read Lieut. Talbot's letter to him, and asked him to make a statement, which he did. I having asked questions on important points as he proceeded, which I regard were leading questions.

Reference here made by President to par. 955, "Simmons on Courts-Martial."

By the Court:—

22. Q.—In Lieut. Talbot's letter the following words occur, "that he" (Lieut. Anderson) "would make it all right, if he (Pugh) gave him £5." And in the preliminary investigation the following words occur—"he (Pugh) offered him (Lieut. Anderson) £5, if he (Anderson) would get it for me." Did you call Pugh's attention to the discrepancy between these statements?

A.—I did.

23. Q.—Which statement did Gunner Pugh state was correct?

A.—The latter, namely, that he (Gunner Pugh) had offered the £5 to Lieut. Anderson.

24. Q.—Which did you regard Gunner Pugh's statement to mean—either a reward for services done, or an offer for services to be done?

A.—Decidedly for services to be done.

25. Q.—Did you regard either of them, namely, a reward for services done, or to be done, as a corrupt or dishonorable proceeding?

A.—My impression was, that Pugh being a poor man was anxious to secure the order, and that he offered this money to Lieut. Anderson to exert himself to procure the order. I may mention that Gunner

Pugh entered into what I considered a great deal of irrelevant matter, in which he said that he had made application to Lieut. Talbot on the matter, and on account of that officer being very lazy about it, he went to Lieut. Anderson and offered him £5 if he could get it done for him.

26. Q.—Did Gunner Pugh state in his preliminary examination whether Lieut. Anderson agreed to accept his offer?

A.—No, I only inferred it.

27. Q.—On what grounds did you infer so?

A.—That Lieut. Anderson had asked for £5 for Sergeant-major M'Garvey, *as well*, and Pugh having said he agreed to pay the £10.

P. L. C. SHEPHERD, Major,
Commanding Volunteer Artillery.

Gunner Pugh.—Examination resumed:—

Cross-examined by Lieut. Anderson (through Court):—

28. Q.—Did you confirm Sergeant-major Sutton's statement, as mentioned in Lieut. Talbot's letter of 9th February?

A.—No.

29. Q.—If Lieut. Talbot has stated that you did so, is such statement on the part of Lieut. Talbot correct?

A.—No.

30. Q.—Did Lieut. Anderson ever say that you would *have to give* M'Garvey £5 as well as to him?

A.—No; he did not use these words.

31. Q.—Did Lieut. Anderson say to you that you would *have to give* £5 to Sergt.-major M'Garvey *also*?

A.—Not exactly.

By the Court:—

32. Q.—Did you understand you could not get the certificate without the payment of the £5 to M'Garvey?

A.—I did understand it, in a certain sense.

By the Court:—

33. Q.—Did you think you were equally obliged to give £5 to Lieut. Anderson as well as Sergt.-major M'Garvey?

A.—I thought it purely optional.

By Lieut. Anderson:—

34. Q.—If Sergt.-major Sutton told Lieut. Talbot that you would have to give M'Garvey £5 also, did you confirm Sutton's statement?

A.—No.

35. Q.—If Lieut. Talbot has stated that you did so, is that statement on the part of Lieut. Talbot correct?

A.—No.

36. Q.—In what you stated that Lieut. Anderson said respecting any sum to be paid to M'Garvey, did you understand him (Lieut. Anderson) to advise or ask you to give M'Garvey such sum?

A.—No. I positively say no.

37. Q.—Was it you or Lieut. Anderson who first proposed that Lieut. Anderson should dispose of your land order?

A.—I could not swear positively—I think it was myself.

38. Q.—Was it understood by you that Lieut. Anderson should have the sale of your land order—in view of making a profit for him (Lieut. Anderson)?

(Capt. MacDonald here retired, by leave of all present.)

JOHN MACDONALD, JUNR.,
Capt., 10 Battery, V.A.

A.—Yes.

39. Q.—What opinion would you have of a transaction such as that alluded to in the previous question?

A.—A business transaction only.

40. Q.—Would you think it dishonest?

A.—No.

41. Q.—Would you do the same yourself, if you were in the same position?

A.—I could not say.

42. Q.—Would you think it wrong to do it?

A.—No.

43. Q.—Is it a fact that whatever occurred between you and Lieut. Anderson, with regard to the sale of your land order, was a purely business transaction, altogether irrespective of what he had done about getting your certificate for 1869?

A.—It is a query whether it was.

44. Q.—On your oath, can you say that Lieut. Anderson has been guilty of any dishonesty as a man, or (so far as you know) any breach of duty as a Volunteer Officer, in the matters charged against him or any of them?

A.—I cannot.

By the Court:—

45. Q.—Did you authorize Lieut. Anderson to give M'Garvey £5, or the equivalent of it?

A.—I did authorize him to give Sergt.-major M'Garvey £5, or an equivalent.

46. Q.—What was the equivalent?

A.—Lieut. Anderson said that Sergt.-major M'Garvey owed him money for goods, I forget how much; a watch and chain, he mentioned, and locket, and repairs to watch. I told him it didn't matter—all right—to settle it between them. To the best of my belief, the above articles were mentioned.

47. Q.—Was the authority to pay the £5 the transaction of the affair of the watch and chain, &c.?

A.—I don't know, but Lieut. Anderson told me so.

48. Q.—Question by Sergt.-major M'Garvey: On the second interview with Lieut. Anderson, did that gentleman tell you that you would have to give me £5 for obtaining your certificate for 1869?

A.—Yes; he (Lieut. Anderson) stated so.

By Lieutenant Anderson:—

49. Q.—Who signed the memorandum which enabled you to get your certificate for 1869?

A.—I do not know. I did not notice. [Sergeant-major M'Garvey here admitted he had signed it.]

By Sergeant-major M'Garvey:—

50. Q.—From whom did you receive this memorandum?

A.—From Lieutenant Anderson.

By the Court:—

51. Q.—How did you know when you were to call at the Brigade Office for your land order?

A.—An Orderly called on me with a note from Sergt.-major M'Garvey to say that the order was ready. I then called and got it from Mr. Holmes.

JOHN PUGH.

The Court here adjourned at 8.15 p.m. till Monday, 16th March, at 7.30 p.m. Gunner Pugh to bring memorandum stated by him to be signed by Sergt.-major M'Garvey.

M. W. S. CLARKE, Major, President.

B. C. BOAKE, Capt., No. 7 Battery, V.A.B.

The Court met pursuant to adjournment at 7.30 p.m., 16th March, but in consequence of the absence of Capt. M'Donald had to adjourn until 4 p.m. 20th March.

M. W. S. CLARKE, Major, President.

The Court met pursuant to adjournment at 4 p.m. 20th March.

Sergeant M'Garvey handed in a statement which the Court received, but resolved not to read at this stage of the proceedings. Pugh handed in memorandum received from M'Garvey.

M. W. S. CLARKE, Major, President.

52. Q.—Did Lieut. Anderson make any remarks to you when you offered him £5 for endeavouring to obtain your certificate for 1869. If so, what was it?

A.—He would endeavour to get what I asked him to do.

53. Q.—You state you experienced some difficulty in obtaining your land order, through not having your 1869 certificate. Who made the difficulty?

A.—In the first place Lieut. Talbot; he told me there was plenty of time, and the main difficulty was in not getting a duplicate of 1869 certificate. Lieutenant Anderson told me there was a difficulty in the Brigade Office; that M'Garvey usually got £5 for looking up back work.

54. Q.—What induced you to offer such a sum as £5 to Lieut. Anderson for getting such memorandum?

A.—I thought it was the least I could offer him.

55. Q.—If you can remember the date of your joining No. 2 Battery, why cannot you remember when you first saw Lieut. Talbot about the missing certificate?

A.—Because I was told by the sergeant the date I joined.

56. Q.—Did you promise Lieut. Anderson on any occasion £5 for procuring the memorandum required by Lieut. Talbot, or for aiding you in procuring a certificate for 1869?

A.—Yes; he had already taken some trouble.

57. Q.—What was the trouble?

A.—Lieut. Anderson sent to Lieut. Talbot for me; it was as near as I could recollect to fill up a duplicate form. I think Lieut. Talbot had no time to attend to it then.

58. Q.—How often did Lieut. Anderson go to the Brigade Office on your service?

A.—I could not say. I don't know.

59. Q.—With reference to the "equivalent" for the £5; do you know when the articles named by you were obtained?

A.—I believe it was after I had mentioned the £5 to the Lieutenant.

60. Q.—Were they obtained prior to your asking about the memorandum required by Lieut. Talbot?

A.—The Lieutenant said they were obtained after.

61. Q.—Did Lieut. Anderson decline to receive your offer of £5 for services in connection with the 1869 certificate, or lead you to believe he would not take it?

A.—He led me to believe he would take it?

62. Q.—How?

A.—By not refusing the offer.

63. Q.—On your oath, was it not an understood thing between you and Lieut. Anderson that £5 was to pass from you to him if the "difficulties" in the way of 1869 certificate were removed?

A.—Yes; I considered I was going to give it to him.

64. Q.—Is it not the fact that, irrespective of M'Garvey altogether, two distinct questions of £5 arise, viz., a promise of £5 to get the 1869 certificate, and then £5 for loss of possible profit on the sale of the land order?

A.—No, sir; that is not true. There was only one £5.

65. Q.—What length of time intervened between your first visit to Lieut. Talbot and the receipt of your certificate for 1869?

A.—I don't recollect; I have no idea.

66. Q.—Had you any interview with M'Garvey on the subject of your 1869 certificate, or of the land order?

A.—Yes.

67. Q.—What was it?

A.—After my application was put in, I did not get the order as quick as I ought to. I went to the Barracks to see if I could see M'Garvey; I saw him. I said, "Well, M'Garvey, when will my land order be ready?" He said, "It will be ready in a day or two." I told him I had been down once or twice, and lost a deal of time over it. He said he couldn't help that, but I would be sure to get it, and that I would have got it before only for the cricket match. I asked him would he mind dropping me word when it was ready; he said he would do so. The orderly came out, and I gave him 1s. 6d. (eighteen pence).

68. Q.—Did Sergt.-major M'Garvey ever hint to you that he should require or expect a fee for his services in the matter?

A.—No.

69. Q.—At the time that Lieut. Anderson was taking the trouble you mention, in your affairs, was there any doubt in your mind whether you would eventually receive the land order?

A.—Yes, I was frightened I would not get it.

70. Q.—Why?

A.—Such a many things passed my mind. There was a Court job, some time ago, between Sergt. Campbell and some of the Staff, and I thought perhaps they would have a down on me for speaking up for the old man. I heard if they had the least flaw at all they would not give the land order.

71. Q.—What "flaw"?

A.—The loss of my certificate for 1869.

72. Q.—Where did the conversation about the equivalent take place?

A.—In the lieutenant's place of business, in the first instance.

73. Q.—What took you thither?

A.—I went about my land order.

74. Q.—Did the conversation about the equivalent take place at that time?

A.—Yes.

75. Q.—Where?

A.—Outside the place where I work—the factory.

76. Q.—What occurred at that second interview?

A.—The lieutenant asked me what charge I had been making against him. I told him I made no charge against him. I told him a charge had been made against him by the Commander of the battery, that I had been called down to hear the charge read over. I told him I had contradicted the charge and been asked by Major Shepherd to make a statement. I told him the statement I did make to Major Shepherd that morning. He said that was pretty correct. He said he could not account for the Commander making such a charge as that against him. I told him it looked a good deal like ill-will. He said "It's a very bad job—I'll have my name brought into a matter without any cause." I told him I didn't see what he had to fear, that I never made the statement to anybody that Lieutenant Talbot had down in his charge. He said it wasn't that, but that he didn't like his name brought in on such a subject, that as far as the money was concerned it wasn't that—that it was the possible loss of position. I told him I didn't see how it could possibly affect him, that though the charge was made against him it wasn't true. He said it wasn't that, but what people would make of it. I told him, as far as I was concerned, I would speak the truth whatever occurred, and he told me to do so. Sergeant-major M'Garvey came up while the lieutenant was present, he said, "Well, Pugh, you have been making a pretty charge against me," or words to that effect. I said, "It's all your own fault Mac." He said, "How's that?" I said, "I've got a letter from Lieutenant Anderson this morning, stating he had given you £5 for getting the voucher for 1869. He said "I got no £5 off Mr. Anderson." I said, "Where you done wrong," I says, "was saying I wanted those drills." He then said he wished to goodness I could prove my musketry instruction, that perhaps it would save him the loss of his billet. I told him it was beyond a possible doubt that I could mention the names of thirty men who put in the musketry drills with me. Lieutenant Anderson said to Mac, "I suppose you will pay me for those articles you had off me." Mac said he might pay for them and he mightn't. Lieutenant Anderson said if he didn't pay for them he might be kind enough to return them. I understood this was the equivalent previously mentioned—I imagine so. Both went away after that.

77. Q.—Did you ever really intend to pay the £10?

A.—Yes, I did at one time; this was some time previous to my getting my land order.

78. Q.—What should you understand by the word "bribery"?

A.—I should take it that bribery was a reward for corrupt service.

79. Q.—Has any attempt been made by M'Garvey to persuade you that you were not efficient for any year?

A.—I believe so. I believe from the statement that Lieutenant Anderson made, that what M'Garvey said was that he (M'Garvey) wished me to believe so.

80. Q.—Has any attempt been made by Lieutenant Anderson to persuade you that you were not efficient for any year?

A.—I don't think he wished me to believe I was inefficient—I had no reason to believe so.

81. Q.—Has any attempt or suggestion been made to you to make you efficient for 1868?

A.—There was some talk about it between me and the lieutenant; I was under the impression that I should be efficient for 1868. The lieutenant said he was sure I was not efficient for that year—that was all about 1868.

82. Q.—Did you make any offer to Lieutenant Anderson or M'Garvey to give either of them a sum of money if you were made efficient for 1868?

A.—No.

83. Q.—With reference to note of 10/2/74 from Lieutenant Anderson, did you ever give an answer, verbal or otherwise, to it?

A.—I saw himself four or five hours after receiving it, and told him myself I had received the letter. He said, "Well, I've paid the money, but I'll be at the loss of it"—but this charge against him he couldn't understand.

84. Q.—Did you go to Lieutenant Anderson to give him an answer?

A.—No, he came to me.

85. Q.—Did he come to you about that letter?

A.—No, he came to me about the charge, I am sure. He mentioned the letter when he came up, and asked me if I had received it.

The Court adjourned from 6.30 till 7 o'clock.

M. W. S. CLARKE, Major,
President.

The Court re-opened at 7, pursuant to adjournment.

Examination of Gunner Pugh resumed:—

Cross-examined by Lieutenant Anderson:—

86. Q.—Did the interviews you have spoken of take place at Lieutenant Anderson's place of business?

A.—One only.

87. Q.—Can you fix the dates of the first interviews you had with Lieutenant Anderson, and if so, when did they take place as near as you can recollect, and where?

A.—Early in January, at his own place of business, perhaps the first week.

88. Q.—Did ever any other person than Lieutenant Anderson tell you or hint that Sergeant-major M'Garvey expected some reward for his services in facilitating your getting your land order; if so, who?

A.—I don't know of any other person.

89. Q.—Did M'Garvey and Lieutenant Anderson go down together to the place where you work?

A.—Not that I am aware of; they came to the factory one after the other in different directions altogether; one came by a bus, the other in a buggy.

90. Q.—Had you ever any reason to suspect any collusion between Lieutenant Anderson and Sergeant-major M'Garvey?

A.—No.

Lieutenant Paul Talbot, No. 2 Battery, duly sworn and examined:—

91. Q.—Do you swear to the correctness of your letter of 9th February, 1874?

A.—I do, as near as possibly can be.

92. Q.—How did Pugh confirm the statement made to you by Sutton?

A.—The first intimation I had of it was from Sergeant-major Sutton on the drill ground, Inner Domain. After the drill was over we walked along Macquarie-street; I asked Pugh where Pugh was; he said "Here he is" turning round, or words to that effect, and Pugh came up to us. I told Pugh what Sergeant-major Sutton told me, and asked him whether it was correct. The substance of what Sergeant-major Sutton told me is contained in my letter of 9th February, and what I told to Pugh, who said it was correct. I told him I would not allow this matter to rest, as I considered if I did I should be as bad as those who had done what he had stated. I told him not to give one farthing—this was shortly before the 29th January last.

93. Q.—Are you certain that Pugh assented to the statement that Anderson said he would make it all right, if he (Pugh) gave him (Anderson) £5?

A.—Yes, he said he had the money in his pocket. I asked him "What, all of it?" He said "Oh no, I have got the £100 in the bank." He said he did not want to hurt Lieutenant Anderson.

94. Q.—Were you in charge of No. 2 Battery in all January last?

A.—Practically I was.

95. Q.—It is stated that Pugh was an efficient for 1869; how then did any difficulty occur about the issue of his land grant?

A.—I cannot understand it; I can produce my list of efficient's showing that he was efficient for 1869.

96. Q.—How did it happen that Pugh's name was omitted from the "list of efficient's" for 1869?

A.—I do not think it was omitted, because his name is included in my list of efficient's which I hand in (*handed in*) and which I believe is a copy of a return I received from the Brigade Office.

97. Q.—Do you think, then, that Gunner Pugh's certificate was issued?

A.—I do think it.

98. Q.—Did you send it in with the others?

A.—I can only tell by reference to the butts of efficiency tickets.

99. Q.—Look at the Annual Return for 1869, tell me how many drills are placed against Gunner Pugh's name.

A.—Twenty-two (22).

100. Q.—Look at the gun drill line and tell me the total against his name?

A.—Nine (9).

101. Q.—Look at the columns containing these nine drills and add them up; tell me the total?

A.—Fourteen (14).

102. Q.—Will you swear you did not add in those figures "1, 1, 3," for September, October, November, after the return went in?

A.—To the best of my belief, no.

103. Q.—Is the figure 3, in the last column November gun drill, in the same handwriting as the other figures?

A.—I cannot say, as it appears to me to have been tampered with.

104. Q.—Was any list furnished in 1870 to you by the Brigade Office, of efficient's preparatory to the signing the certificates for 1869?

A.—I cannot say.

105. Q.—If so, have you such list?

A.—I have not.

106. Q.—Why did you require a certificate from some one else, before signing a "duplicate" efficiency certificate for Pugh?

A.—Because I was in too great trouble at the time, and referred him either to see Sergeant-major M'Garvey or Lieutenant Anderson; if he would bring me a memorandum from Sergeant-major M'Garvey, that I would give him a duplicate. It is likely I would also make use of Lieutenant Anderson's name.

107. Q.—Did you detail Lieutenant Anderson to look after the interests of land grantees?

- A.—I do not remember.
108. Q.—Why did you not endeavour to procure a certificate for Pugh in 1870?
A.—I cannot charge my memory.
109. Q.—Have any other members of your battery received their land orders this year, and when?
A.—Yes; Reid is one I believe—I cannot say the time. I merely forward the applications as they come in. Other members have received theirs subsequent to January this year.
110. Q.—Did you ever hear that Pugh was deficient in his drills, as required for “efficiency” for any year since he joined your battery?
A.—I have heard Sergeant-major Sutton say that Pugh was an efficient; there was some grumbling about some of the members’ efficiencies, and that he knew that Pugh was efficient, although he was said to be non-efficient.
111. Q.—Are you sure that he has always been an efficient?
A.—I cannot say from memory; I cannot tell without referring to the returns.
112. Q.—Has Sergeant-major M’Garvey any connection with No. 2 Battery, independently of his official duties?
A.—Not that I am aware of.
113. Q.—Do you consider Gunner Pugh to be a man of ordinary intelligence?
A.—I do.
114. Q.—In what way do you consider the transactions referred to in your letter “dishonest”?
A.—With regard to any member being called on to pay for that which he has already earned or that which actually belongs to him, as I consider it the duty of the Brigade Office to forward applications without compensation.

To Gunner Pugh:—

115. Q.—You have heard Lieutenant Talbot’s evidence: what say you to it?
A.—In the first place, Lieutenant Talbot states that Sergeant-major Sutton informed him that I confirmed the statement that Sergeant-major Sutton made to him. I deny this, for Lieutenant Talbot asked me, “Did Lieutenant Anderson say to you that if you gave him money he would get your land order?” I told him *no*, positively no, that I myself had offered the money to him. I told him that I was giving M’Garvey £5 through Lieutenant Anderson. He said that if I would make a statement in writing he would have it thoroughly investigated. I said I would not make a statement in writing. I told him I was satisfied, as I got my land order.

To Lieutenant Talbot:—

116. Q.—With reference to this Annual Return for 1869, there is a column here classed as *Efficients* for 1870, which column has been filled up with pencil figures, and ticked off. I find that Gunner John Pugh’s name is omitted as efficient, and in another column headed “*Musketry Instruction*” there is a blank opposite Gunner Pugh’s name. Whose fault is this?
A.—There was a great deal of trouble about the year 1869 as to the filling up of these returns, and one of the sergeants asked me if I had a copy; if I had would I be good enough to lend it to him. I lent my copy, which I have not had returned to me, and I believe the return now shown to me is my copy.
117. Q.—How many *efficients* does your book show as returned for 1869?
A.—Thirty-eight (38), and subsequently two for the Band. I obtained ammunition for thirty-eight members.
118. Q.—Did you get capitation allowance for that number?
A.—Referring to my memorandum book, I find the battery obtained capitation allowance for thirty-seven, but that for Pugh and others were subsequently allowed by Captain Baynes. I can now give particulars:—On 1st January capitation allowance was made for thirty-seven, and four more, viz., Pugh, Moore, Vernon, and Wainwright; Captain Baynes subsequently passed.
119. Q.—How is it that the copy of the annual return for 1869 (as you call it) is so imperfect?
A.—It is a private document of mine which has no right to be in the Brigade Office at all, but it was lent as a reference. I did not keep a perfect copy.
120. Q.—Is it a copy made at the time, or is it a compilation made afterwards from other documents?
A.—I think it was made from other documents afterwards.

To Gunner Pugh:—

121. Q.—Have you anything else to add to what you said before?
A.—I was under the impression that Lieutenant Talbot said that I confirmed his statement before Major Shepherd. I deny that.

To Lieutenant Talbot:—

122. Q.—Were you present at the preliminary investigation?
A.—Yes, I was.
123. Q.—Did Gunner Pugh confirm your statements as contained in your letter of 9th February?
A.—The substance of it he did with a few alterations, stating that he did not wish to get Lieutenant Anderson into trouble about it. Major Shepherd remarked that it was impossible for any person to write word for word, but the substance was the same.
124. Q.—Is not a material point of difference involved in the following statements:—“That Anderson offered to do a certain work for a certain sum, and that Pugh offered a certain sum if a certain work were done”?
A.—There is.
124. (b) Q.—Can you reconcile them?
A.—I cannot.

To Gunner Pugh:—

125. Q.—Have you anything else to say?
A.—I cannot think of any other question.
126. Q.—Did you know that Lieutenant Talbot was in command of the battery at the time the first application was made to Lieutenant Anderson for the certificate of efficiency for 1869?
A.—I was under the impression that Lieutenant Anderson was in command at that time.

127. Q.—To whom did you first apply, to Lieutenant Talbot or Lieutenant Anderson?

A.—I saw Lieutenant Anderson first, but made my written application to Lieutenant Talbot afterwards, as Lieutenant Anderson referred me to Lieutenant Talbot.

To Lieutenant Talbot, cross-examined by Lieutenant Anderson :—

128. Q.—What time elapsed between the time when Sergeant-major Sutton told you about this matter and the time that you asked Major Shepherd's advice about it?

A.—I wrote a letter to Major Shepherd on the 29th January, on the subject, the day after.

129. Q.—Will you tell exactly what Sergeant-major Sutton said to you about this matter in the first instance?

A.—There is a written statement that I swear to, which was made when fresh in my memory, now before the Court.

130. Q.—Did you take down Sutton's statement the same night it was told to you?

A.—Yes, I did; I wrote it that night in order to be correct.

131. Q.—Can you produce the first document you drew out?

A.—I do not know; I shall endeavour to find it. If I have it I shall produce it. I now produce it. I did not make any other memorandum besides this to my knowledge.

(Being a private note, to Major Shepherd, the President asked Lieutenant Talbot if he would allow it to be read, he said, no.)

132. Q.—On your oath is there any difference between the charge made in your letter of 9th February and what you took down in writing on the night you heard Sergeant-major Sutton's statement?

A.—Not to my knowledge.

133. Q.—When was Lieutenant Anderson made Treasurer of the battery?

A.—I cannot remember at present.

134. Q.—Have you not in fact, in your letter of 9th February, prejudged this case in the charge which you preferred against Lieutenant Anderson?

A.—No, I think not.

135. Q.—Outside of this case have you any reasons for believing that Lieutenant Anderson is not as honest and honorable a man as yourself?

A.—Not the slightest.

136. Q.—Did any one assist you in writing the letter of the 9th of February; if so, who?

A.—No.

137. Q.—Did you forward to the Colonel Commandant, Gunner Pugh's letter about his land order?

A.—I did.

138. Q.—Before preferring this charge, did you communicate with Lieutenant Anderson about the matter?

A.—I think not.

139. Q.—Did you take care to ascertain the dates and places, when and where, you charge Lieutenant Anderson with having committed, took place?

A.—I consider I have made no charge, but merely forwarded a report made to me—I did not make the inquiries.

Lieutenant Anderson here referred to clause 745 of the Queen's Regulations, implying that the charges involved in Lieutenant Talbot's letter of 9th February should have complied with the terms of that clause. The Court decided that the clause did not apply, as it referred to a technical "charge" framed by Advocate General against a prisoner.

140. Q.—Have you ever read para. 735 of the Queen's Regulations, with especial reference to the latter part thereof?

A.—I have now read it for the first time, as far as I can recollect.

141. Q.—Did Sergt.-major Sutton, to your knowledge, dispose of land orders by sale?

A.—Not to my knowledge.

142. Q.—Is it your practice to talk with the non-commissioned officers and gunners of your battery after drill?

A.—Yes.

143. Q.—Did you not forward an application for a land grant for Furness this year?

A.—I did, in the usual way.

144. Q.—Were you before preferring this charge aware that Sergt.-major Sutton had offered to dispose of Gunner Pugh's land order for him?

A.—Sergt.-major Sutton stated that he could sell Pugh's land order for him, or that he could get a better price than was offered by Lieut. Anderson. He could get him more than £100.

145. Q.—Have you ascertained the substance of the evidence that has already been given in this case?

A.—I know nothing of the inquiry excepting the statement I have handed in.

146. Q.—As a member of No. 2 Battery, what feeling do you think exists on the part of Lieut. Talbot towards Lieut. Anderson?

A.—I should imagine there was a slight ill feeling.

By the Court :—

147. Q.—Has this ill feeling caused any injustice to be done to your knowledge to Lieut. Anderson?

A.—I believe it has.

148. Q.—State how?

A.—In the first place, he (Lieut. Talbot) wished Sergt.-major Sutton to make a written statement. I told him I could not do so, that I had got the land order, and did not wish to do so; and should take it that he had some slight ill feeling, or he would not persist in making the charge against Lieut. Anderson after me distinctly telling him that I had offered the money.

To Lieutenant Talbot—

By the Court :—

149. Q.—Have you any ill feeling towards Lieutenant Anderson?

A.—No. I have no personal ill will against Lieut. Anderson; my only objection is on military matters, because he absents himself so much from drill, and he does not appear to take sufficient interest.

To Gunner Pugh,—

By the Court :—

150. Q.—Have you any ill-feeling towards members of the Permanent Staff?
A.—None, the slightest; I felt rather indignant with them at one time, but have since dismissed it from my mind.

The Court adjourned till Wednesday evening next, the 25th instant, at 7 p.m.

M. W. S. CLARKE, Major,
President.

Court opened at 7.40 on Wednesday evening, 25th March, 1874.

Lieutenant Talbot, examination continued:—

151. Q.—Do you produce any further papers in this case?
A.—I do. The original certificate of efficiency to Gunner Pugh, No. 39, for 1869. (Handed in, marked D).
152. Q.—When was this Certificate, No. 39, filled up; have you the butts of the Certificates with you?
A.—At the same time as the other Certificates of No. 2 Battery; the butt states 24th August, 1870, as the date of issue.
153. Q.—Do you now recollect why it was not delivered to Gunner Pugh?
A.—I do not.
154. Q.—Are you not responsible for all the statements that appear upon the face of these Efficiency Certificates (which are signed by yourself) whether you compile the information, or depute others to do it for you?
A.—I did not consider so, because they are checked by the Brigade Office.
155. Q.—How and whence did you derive the information concerning Gunner Pugh, which induced you to certify that what appears on this certificate?
A.—By the Quarterly returns.
156. Q.—From what sources are the Annual Records of attendances at drills and parades derived?
A.—Records kept by the quartermaster-sergeant, namely, Quarterly Returns.
157. Q.—Are they not solely compiled from the Quarterly Returns, with the exception of the Musketry instruction, perhaps?
A.—Yes.
158. Q.—Did you not receive a return from the Brigade Office giving you a list of names of those who had passed "Musketry"?
A.—I do not recollect.
159. Q.—Did you receive the Annual Return of names of men entitled to certificates of efficiency for 1869, compiled by the Brigade Office from your Annual Return?
A.—I cannot recollect.
160. Q.—Is it not usual for the authorities at the Brigade Office to send back all Returns which are irregularly drawn up, and which do not agree with others previously in their possession?
A.—Yes.
161. Q.—Did they send back your Annual Returns for 1869?
A.—There was some confusion that year in the Returns, therefore I cannot say.
162. Q.—If they did, was it not corrected?
A.—It would be corrected if sent back.
163. Q.—Did they send back your Quarterly Returns for 1869?
A.—I cannot say to my knowledge.
164. Q.—If they did, were they not corrected?
A.—No doubt.
165. Q.—Are not the Quarterly Returns supposed to agree with the Field slates sent in to the *Brigade Adjutant*, after each and every drill?
A.—Yes.
166. Q.—Should not the totals of the Quarterly Returns agree with the Field slates during that quarter?
A.—They ought to agree.
167. Q.—Did you check these Returns before sending them in?
A.—I don't know.
168. Q.—Are not the figures in the Quarterly Returns added up both horizontally and vertically?
A.—Yes.
169. Q.—Do you know why?
A.—To see that they agree—the one to be a check upon the other.
170. Q.—Look at the Shot practice Register, for 11th September, 1869, do you see Pugh's name there?
A.—I do not.
171. Q.—Is it not conclusive evidence then, that in the September Quarter Returns, the figure (1), in the column devoted to "Shot Practice" on the 11th September, opposite Pugh's name, is an interpolation?
A.—Yes.
172. Q.—Do you know how or by whom such addition was made?
A.—I do not.
173. Q.—After this document had been sent in finally, has it been accessible to any member of your battery, or to yourself?
A.—Not to my knowledge.
174. Q.—Have you, or has any member of your battery, to your knowledge, had it in possession?
A.—I cannot say.
175. Q.—You signed the December Quarter Return for 1869?
A.—Yes.
176. Q.—Are the attendances in that return correct?
A.—To the best of my belief they are.
177. Q.—Will you look at the drills recorded in favour of Pugh during that Quarter? Is not the only one recorded thus ("1") Company Garrison Gun, during the whole quarter (December)?
A.—Yes.

178. Q.—Look at your copy, and state how many are recorded in favour of Pugh during that quarter (December.)?

A.—One.

179. Q.—Please to look at the Quarterly Returns for March, June, September, and December, 1869; March and December are signed by you, and June and September by Capt. Deane?

A.—Yes.

180. Q.—Whose is the handwriting in the body of these documents?

A.—Quartermaster-sergeant Ainsworth's, I believe.

Lieutenant Tulbot here asked to check the figures—which he did.

181. Q.—Is not the following a correct analysis of Pugh's attendances during 1869, according to those returns?—be good enough to check them, viz.:—

Recruit Drills.—January 10, February 9, March 6, then

		<i>Efficiency Drills.</i>						
January	...	Nil.						
February	...	Nil.						Total.
March	...	Com. F.G. (1); Com. Officer F.G. (1)	...	...	...	...	...	2
April	...	F.G. (2); Com. Officer (1)	...	...	...	...	...	} 11
May	...	Com. Officer (2); Comp. (1); F.G. (1)	...	...	...	...	...
June	...	F.G. (3); Inspection (1)	...	...	...	...	...	} 7
July	...	G.G. (2); Comp. (2)	...	...	...	...	...
August	...	G.G. (1); Comp. (1); Shot practice (1)	...	...	...	...	...	} 1
September	...	No attendance.—(1) marked Shot Practice, but which is proved to be in Q. 171 an interpolation	...	...	...	...	...
October	...	(1) Comp. G.G.	...	...	...	...	...	} 1
November	...	Nil	...	...	...	...	...
December	...	Nil	...	...	...	...	...	} 1
Total									21

A.—Yes.

182. Q.—Is not the following analysis of the Quarterly Returns correct? Previous question handed to witness "by which to check."

1. Company	...	March.	May.	July.	August.	October.	Total.
		(1)	(1)	(2)	(1)	(1)	6
Commanding Officer	...	March.	April.	May.	...	...	4
Inspection	...	(1)	(1)	(2)	...	...	4
Shot Practice	...	...	June	...	...	...	1
		...	August	...	...	...	1
Gun Drill	...	April.	May.	June.	July.	August.	9
		(2)	(1)	(3)	(2)	(1)	9
Total							21

A.—Yes.

183. Q.—Look at the "Annual" Return. Is not this a correct statement of what appears there as totals? Recruit (10) (9) (6). Gun Drills. Then

	March.	June.	Septem.	December.	Total.	
Company (or Parades of Corps)	(1)	(1)	(3)	(1)	6	
Commanding Officer's (Battalion)	(1)	(3)	...	...	4
Inspection, marked in December instead of June	...	...	...	...	1
Shot Practice	...	March—September	...	...	2
Gun Drills	April.	May.	June.	July.	August.	9
	(2)	(1)	(3)	(2)	(1)	9
Total					22	

A.—Yes.

184. Q.—Are not the following figures also inserted?

Batt., September Quarter (1) ... } Total ... 6
 Gun Drill, September (1); October (1); November (3) }

A.—Yes.

185. Q.—Now, look at the Shot Practice Register for March Quarter; is Pugh's name there?

A.—No.

186. Q.—The insertion, then, of these two practices for the year is wrong?

A.—Yes; according to this book.

187. Q.—This will reduce the figures for the "Annual" from 22 to 21, excluding figures referred to in Question 184, will it not?

A.—Yes.

188. Q.—This will then agree with the Quarterly Returns, will it not?

A.—Yes.

189. Q.—Look at the Annual Return for Commanding Officer's Parades; are not the different kinds specified with the exception of that (1) for September Quarter?

A.—Yes.

190. Q.—If that (1) were added in, would not the totals (excluding gun drills, September, October, and November) be twenty-three?

A.—Yes.

191. Q.—Is there any attendance to Pugh in the Quarterly Return for September quarter, except (1) Shot practice for month of August; (2) Company, July; (1) Company, August; (2) Gun drills, July; (1) Gun drill, August?
A.—No.
192. Q.—This figure (1) therefore is an interpolation?
A.—It would appear so.
193. Q.—Is there any parade or drill for September month except (1) Shot practice, proved in Question 171 to be an interpolation?
A.—One Shot practice.
194. Q.—The figure (1), September, in the gun drill column of the "Annual," is it an interpolation?
A.—Yes.
195. Q.—Look at the Quarterly Return for December quarter signed by yourself, is there any record of attendance beyond (1) Comp. G.G. in October.
A.—No.
196. Q.—The figures then representing gun drills—1 September, 1 October, 3 November, are interpolations?
A.—It would appear so.
197. Q.—What is the total, as now inserted, of the figures in the "Annual Return?"
A.—Twenty-two (22).
198. Q.—Would you have made (9), the total, if all those figures—1 September, 1 October, 3 November, gun drills had been inserted previously?
A.—No.
199. Q.—How many should the total be now according to your Quarterly Returns?
A.—Twenty-one (21).
200. Q.—Do not these Quarterly Returns form the basis of your Annual Returns?
A.—Yes.
201. Q.—Whose duty was it to check these Returns before being sent in to the Brigade Office?
A.—Quarter-Master Sergeant Ainsworth and Sergeant-Major Drinkwater.
202. Q.—Do you sign after having made yourself acquainted with the real facts, or do you take other men's words for them?
A.—The Quarter-Master Sergeant and Sergeant Major fill up these returns, they are then brought to the Officer Commanding the Battery for signature, and then forwarded to the Brigade Office to be checked. I do not personally go into the details.
203. Q.—Would not the "Annual Return" you send in be compiled from the "copies" of your Quarterly Returns in your possession?
A.—Yes.
204. Q.—Look at your "copies" which you have with you, do they give the same result as the originals with regard to Pugh's case?
A.—Yes.
205. Q.—Whose handwriting is this (*referring to the December Quarter Return*)?
A.—Ainsworth's, to the best of my belief.
206. Q.—Whose (*referring to the Annual*)?
A.—The same—Ainsworth's.
207. Q.—Would not the original Annual Report (since you have said that the present one is your copy) have agreed in every particular with your Quarterly Returns?
A.—I should think so.
208. Q.—If it had not, would it not have been sent back to you for correction?
A.—Most likely, as has been done in other cases.
209. Q.—Was it so sent back to you?
A.—I cannot recollect.
210. Q.—Would you have sent in a copy, *rough* as it might be, with such serious alterations and additions as are now proved to exist?
A.—Not knowingly.
211. Q.—Would you have signed it (as you have done) knowing that such discrepancies were palpably present?
A.—No.
212. Q.—Please to read out what you certified before you affixed your signature?
A.—"I certify that the foregoing is a correct Roll of the Corps under my command, and that the number of parades, drills, &c., are correctly stated."
213. Q.—Will you swear that these discrepancies did not exist before you affixed your signature?
A.—I swear they did not exist, to the best of my belief, before I affixed my signature.
214. Q.—Has the "Annual" Return formed the basis of all the Certificates for 1869, that were made out by you?
A.—Yes.
215. Q.—Will you swear that you never had the "Annual" Return after you had sent it in to the Brigade Office?
A.—I will not.
216. Q.—Will you swear that none of your Battery has had access to it?
A.—I will not.
217. Q.—Will you swear that Pugh's name was not rejected at the Brigade Office for want of proper attendance at drill?
A.—I remember there was some objection made, but cannot remember the particulars; as also in the case of others, who afterwards were passed as efficient.
218. Q.—Will you swear that the present alterations were not made with a view of giving Pugh an apparent claim to the 1869 Certificate?
A.—I will not.
219. Q.—Do you think they were?
A.—I dare not think.

Lieutenant

Lieutenant Talbot here modified his statement with reference to the "Annual" Returns being a copy of his; he now admitted that the "Annual" before the Court was the original, and that his remark about the copy had reference to the September Quarter Return before the Court.

220. Q.—When was the original September quarter stated to have been lost?
A.—I cannot remember.
221. Q.—Was it before Pugh's certificate of efficiency had been made out?
A.—No.
222. Q.—Was it before Pugh's certificate was initialled as correct, and countersigned by the Commandant?
A.—I cannot say.
223. Q.—Did the authorities not want it for the purpose of investigating Pugh's case?
A.—Not that I am aware of.
224. Q.—How many attendances does Pugh appear to have independently of "Musketry Instruction," from the Quarterly Returns?
A.—Twenty-one.
225. Q.—How many should he have, judging from the "Annual," before the additions had been made to it?
A.—Twenty-two.
226. Q.—How then did you certify on the original certificate that Gunner Pugh has attended 24 drills as ordered by the Commanding Officer?
A.—I cannot answer—the time is too far back.
227. Q.—How can you certify on the duplicate that he had attended 28?
A.—I cannot account for it just now.
228. Q.—Is not each of the certificates wrong according to your Returns?
A.—Yes.
229. Q.—Will you read out paragraph 59 of the Regulations of 1868 (January 18th), which were not replaced by others until 28th April, 1871?
A.—"By the term recruit used upon the annexed form of certificate is meant a volunteer who has never been returned as efficient in an Annual Return of the Corps."
230. Q.—Will you read out the drills required for efficiency, paragraph 40?
A.—"For recruits, twenty-four drills; of which fourteen, gun drills in addition to preliminary recruit drill, and instruction in musketry."
231. Q.—Are not fourteen gun drills necessary?
A.—Yes.
232. Q.—Is this the reason, do you think, that the "Annual" Return was *made* to show fourteen gun drills in *detail* instead of 9 *in fact*, as verified by the Quarterly Return?
A.—I cannot say.
233. Q.—On your oath was any such alteration made with your knowledge or consent?
A.—Decidedly not.
234. Q.—If not, how do you account for it?
A.—I cannot.
235. Q.—Does then, Gunner Pugh, appear efficient for the year 1869?
A.—No, unless it has been allowed by the Brigade Office; it must have been allowed, or the certificate would have been returned.
236. Q.—Who is Gunner Furness to whom you said a Land Order was issued this year?
A.—A gunner of No. 2 Battery.
237. Q.—When did he join?
A.—I don't know. Sergt.-Major M'Garvey stated February, 1868.
238. Q.—Did you issue to him a certificate for 1869?
Witness here referred to the butts of the certificate book, when it appeared that the certificate was torn out, and the butt was marked in red ink "cancelled," wanting musketry.
A.—The certificate is marked cancelled.
239. Q.—Who brought the message about the copy being wanted of your returns?
A.—I think by Sergeant M'Ewen.
The Court adjourned at 10 p.m. till 7.30 p.m. Wednesday, 1st April.
The Court resumed pursuant to adjournment on Wednesday, 1st April, 1874.

Sergeant-Major Sutton, No. 2 Battery, duly sworn and examined:—

240. Q.—Lieutenant Talbot's letter was read over to you by Major Shepherd, and you confirmed its contents?
A.—Yes.
241. Q.—From whom did you obtain the information embodied in that letter?
A.—From Gunner Pugh.
242. Q.—Were the statements made by Pugh to you, made voluntarily (that is) without being pressed from him?
A.—They were.
243. Q.—Explain how these statements were made?
A.—The first intimation I received of this was from a member of our Battery—Sergeant Gordon and Gunner Iredale. I happened to be in Lasseter & Co.'s store, Sergeant Gordon and Gunner Iredale were both present. I happened to say, talking about applications for Land Orders, knowing that Sergeant Gordon knew Gunner Pugh,—has Pugh made an application for his Land Order yet? He said he had, and had to pay £10 for it. I had no more conversation with those two parties. I happened to come up to the Brigade Office here; I cannot tell the day of the month, it must have been a week, if not more, before Gunner Pugh got his Land Order. I saw Gunner Pugh standing with his back to the lamp-post. I said have you made an application for your Land Order? He said he had. I said, is it true that you have to give £10 for it? He said he had. He said he made application through Lieutenant Anderson; he was to give Lieutenant Anderson £5, and he called again and saw Mr. Anderson, and he told him he could not get it without giving M'Garvey £5; he did not say "Sergeant-Major," but I understood he meant

meant Sergeant-Major M'Garvey. He said it was a damned shame to have to give anything for it, as he knew he was efficient for the year 1869, as Lieutenant Anderson told him he was not efficient for that year. I did not see him for, I think, three or four days afterwards. I came up to the Brigade Office again, which I do very often; I saw him standing outside on the footpath. I asked Gunner Pugh had he got his land order, he said "No, not yet; I expect to get it as soon as the Colonel comes." [Gunner Pugh here appeared, and the evidence so far of Sergeant-Major Sutton was read over to him.] I said to him "Are you going to sell it?" He said, "I am—to Lieutenant Anderson," who said he would give £100 for it, and they would cry quits. I said to him, "If you have not bound yourself to Lieutenant Anderson to let him have the land order, I can tell you where you can get £118 for it now." He said, "I have not bound myself, and if I can get £118 for it I will take it." I said, "Well I can get it for you." I left him then for about a quarter of an hour. I went to see the party I knew wanted one. I came back and told Gunner Pugh I could get him £117. Gunner Pugh was to meet me about an hour afterwards. I came back to the Brigade Office, and Gunner Pugh had gone. The next time I met him was at drill in the evening, in the Inner Domain. Before the drill that evening I mentioned the circumstances to Lieutenant Talbot, as the affair had become well known. I told him what Gunner Pugh had told me. Lieutenant Talbot said, "Will you give it to me in writing?" I said, "No; I will do no such thing." He said, "Why not?" I told him—you have just received it as I heard it. After the drill the same conversation came up again, coming along Macquarie-street. I said to him, "Here is Gunner Pugh; if you think it worth your while to ask him is such the case, he will perhaps tell you." Lieutenant Talbot asked Gunner Pugh if such was the case, referring to what I had told him. Gunner Pugh said it was. Lieutenant Talbot asked Gunner Pugh, "Will you give it to me in writing?" He said, "I will not;" he said, "I have got the money in my pocket now to give him the £10 to give to Lieutenant Anderson, as I have put the rest in the Bank. "I hope this affair will not go any further—let it drop, as I don't want to get Lieutenant Anderson into any bother; but if the affair should come to anything I will speak the truth." Lieutenant Talbot told Gunner Pugh not to pay the money to Lieutenant Anderson, if he did he would see farther into it. Next morning I received a note from Lieutenant Talbot. [Note marked M and read.] I forwarded the message by Sergeant Gordon to Gunner Pugh. [Gunner Pugh here admitted that he had received the message]. That is all I heard of it until I received this memo. from Lieutenant Talbot. [Memo. marked N, and read.]

244. Q.—Why did you ask Gordon and Iredale about Pugh in the first instance?

A.—Just casually.

245. Q.—Did he tell you about the £10 prior to your telling him about the value of the land order?

A.—He did. That was the first thing he told me.

246. Q.—Do you swear to the correctness of the statement that he (Anderson) said "he would make it all right if he (Pugh) gave him £5?"

A.—He did say so.

247. Q.—Did you think that Pugh had "sold" you about the land order?

A.—Not at all; it made no difference to me. It was quite casually I happened to meet him. I never had any appointment with him about it—I was not to make anything out of it. I only did it to oblige him, as one of the members of the Battery.

248. Q.—Have you had any conversation with Pugh on the subject of Lieutenant Talbot's letter since the preliminary investigation? If so, please state what it was?

A.—No.

249. Q.—Do you know as quarter master Sergeant, or as Sergeant-major, whether Pugh has always been an efficient?

A.—I believe him to be so.

250. Q.—How was it that no attention was paid to his certificate for 1869, prior to this year?

A.—I cannot tell—I suppose it was his own neglect in not looking if it was in his own possession.

251. Is it usual for "difficulties" in the way of obtaining certificate for members of your Battery to be got over by the aid of money?

A.—I cannot say.

252. Q.—To your knowledge has any difficulty been created so as to prevent Pugh, or any other member from obtaining his certificate?

A.—Not that I am aware of.

253. Q.—Do you know why any doubt was thrown on the fact that Pugh was an efficient?

A.—I don't know of any doubt. He was simply told, as he states himself, he was not efficient for that year, by Lieutenant Anderson.

254. Q.—Did Pugh ever tell you of any interview he had with either Sergeant-major M'Garvey or Lieutenant Anderson, or with both? If so, please give the particulars?

A.—He did. He told me after we appeared before Major Shepherd, when that officer took Gunner Pugh's statement, that Lieutenant Anderson and Sergeant-major M'Garvey were up at his house, or place of business—that Sergeant-major M'Garvey had asked Gunner Pugh if he had the letter, or whether he tore it up. He said, no; I have it in my possession now—that Lieutenant Anderson said to Sergeant-Major M'Garvey, "You'll lose your billet," and Sergeant-major M'Garvey replied, "And you'll lose your commission."

255. Q.—Could you have given the necessary information so as to enable Lieutenant Talbot to give Pugh a certificate for 1869?

A.—Not without looking at the returns.

256. Q.—Were you asked for it by Lieutenant Anderson or Lieutenant Talbot?

A.—No.

257. Q.—Are you not the proper person to apply to?

A.—I believe I am, or that I ought to have something to do with it.

258. Q.—Was Lieutenant Syme in the Battery in 1870?

A.—I don't recollect, but can let you know.

259. Q.—Do you recollect going to the Brigade Office in the year 1870 about Pugh's efficiency?

A.—No.

260. Q.—Did you ever search the records of No. 2 Battery in the Brigade Office for the purpose of ascertaining whether Gunner Pugh was efficient for 1869, either in the year 1870 or since?

A.—Never did on any occasion for Gunner Pugh.

261. Q.—Have you ever had access to the documents relating to No. 2 Battery in the Brigade Office?

A.—No, never.

To Gunner Pugh,—

262. Q.—You have heard Sergeant-major Sutton's evidence is it materially incorrect?

A.—It is not very materially incorrect.

263. Q.—Where is it incorrect?

A.—One part is his answer to question 246; Lieut. Anderson did not make the offer to me, but I offered the money to him.

To Sergeant-major Sutton,—

264. Q.—Will you swear that the words reported by Lieut. Talbot as having been said by Gunner Pugh, with reference to the first interview with Lieut. Anderson, are correct?

A.—Yes. Gunner Pugh was rather excited, and seemed much annoyed at the treatment he was receiving, and may therefore have forgotten the exact words he made use of.

To Gunner Pugh,—

265. Q.—Any other discrepancy?

A.—There are other discrepancies, but they are immaterial to the main point. In the answer to question 254, it should be Lieut. Anderson, not Sergeant-major M'Garvey, asked me.

266. Q.—Do you recollect the circumstance about your name being posted up on the black board towards the close of 1869?

A.—I do.

267. Q.—When did it occur?

A.—I think it occurred the latter end of 1869.

268. Q.—Explain the circumstance?

A.—My name was not on the black board in the list of efficient. I spoke to Lieut. Talbot about it; he said I was not efficient; I told him I was sure I was, and would he see about it? He then said he would see about it, but he never did. I then spoke to Lieutenant Syme about it. I am quite sure it was Lieut. Syme I spoke to about it.

[The President here pointed out that Lieutenant Syme's name does not appear on the Battery Roll for 1869, but Gunner Pugh persisted in stating he had spoken to him on the matter at the time stated.]

I can bring two respectable witnesses, namely, Sergeant Clarke and Gunner Elphinstone to prove that I spoke to Lieut. Syme about the matter in 1869, and that he looked over the books, and said I was efficient by the Act for 1869. The books he looked over were the books of No. 2 Battery. He said he would look into the matter on the morrow, as he would then have leisure time.

269. Q.—How many drills did you want then to make you efficient?

A.—I don't know; they did not put any memo. down, and did not take any bother about it. After Lieut. Syme took the matter up my name appeared on the board as an efficient.

270. Q.—When you asked for your certificate for 1870 what explanation was given you as to why you did not get it?

A.—No explanation was given, excepting that the tickets were not required.

271. Q.—Did you hold out any inducement to anybody at that time to procure you the certificate?

A.—I did not.

272. Q.—Were you in arrears with your subscriptions to the Battery in 1869?

A.—It is very possible.

273. Q.—Who was the treasurer?

A.—I could not say.

274. Q.—Have you had any transactions with Lieutenant Anderson or Sergeant-major M'Garvey, or Lieut. Syme, or Sergeant-major Sutton, with reference to your drills, parades, or with reference to your certificate, before the present year?

A.—No, only what I have stated.

275. Q.—When Syme was going up to Lieut. Talbot on the night he told him about the £10, were you accompanying him?

A.—Yes, but not for that purpose. We were going home together.

276. Q.—Was it for the purpose of telling Lieut. Talbot about the matter?

A.—No.

277. Q.—Had you the interview with Lieutenant Anderson and Sergeant-major M'Garvey on the morning of the day on which Major Shepherd held his preliminary inquiry?

A.—In the afternoon of that day.

278. Q.—How do you know that both came by different roads and by different vehicles?

A.—I saw Lieutenant Anderson; he arrived first in a buggy, and while I was talking to him, Sergeant Major M'Garvey arrived afterwards on a bus.

279. Q.—Can you account for their calling upon you that afternoon?

A.—Only what I surmised; I imagined that somebody had told them that I had been called upon to give evidence against them.

280. Q.—On your oath, did either Sergeant-major M'Garvey or Lieut. Anderson ask you about the letter before the preliminary examination held by Major Shepherd?

A.—No.

281. Q.—Were you ever asked by any one to suppress the letter?

A.—No.

To Sergeant-major Sutton—

282. Q.—If you ever did say it was a "game that was going on long enough, and that you would stop it", what did you mean by it?

A.—I do not recollect saying so; I may have said "it was time to put a stop to it."

283. Q.—As Sergeant-major of No. 2 Battery, do you know of your own knowledge of any other similar cases?

A.—I do not.

To Gunner Pugh :—

284. Q.—Who wrote your letter applying for the land order?
A.—Gunner Reid.
285. Q.—Is he a friend of yours, and what is his business?
A.—Yes. He is in the Joint Stock Bank.
- Sergeant-major Sutton cross-examined by Lieutenant Anderson :—
286. Q.—Did Gunner Pugh ever request or authorize you to make any charge against Lieutenant Anderson to Lieutenant Talbot with respect to the obtaining of his land order?
A.—Never.
287. Q.—Did Gunner Pugh express his unwillingness to have anything to do with any proceeding that might result in such a charge?
A.—He did not express his unwillingness.
288. Q.—Was it purely of your own accord that you gave Lieut. Talbot the information which has led to this inquiry?
A.—One member of the Battery told me that if I did not report it he would bring it up at the next Battery meeting.
289. Q.—Were you not aware at the time you gave the information referred to, that Gunner Pugh was efficient for 1869?
A.—No, I had no knowledge of anything of the sort.
290. Q.—Are you aware of any act of undue influence on the part of Lieutenant Anderson, done, with the view of obtaining for Gunner Pugh his certificate for 1869, or his land order?
A.—I am not.
291. Q.—Did you not yourself make inquiries at the Brigade Office, as to Gunner Pugh's efficiency previous to the issue of his land order?
A.—Never.
292. Q.—It has been sworn by Gunner Pugh, that you offered to get him £117 for his land order on the same day that he got £118 for it without your intervention. Will you state whether in making such offer, you did not contemplate some pecuniary benefit for yourself by the transaction.
A.—None whatever.
293. Q.—About that time were you aware of any rumour that Sergeant-major M'Garvey expected some gratuity from those who applied for land orders, for the granting of which certain returns or information would have to be supplied by him?
A.—No.
294. Q.—Did you assist Gunner Cunningham of No. 2 Battery in obtaining his land order?
A.—I did.
295. Q.—Did Sergeant-major M'Garvey obtain any money for services rendered by him in connection with that matter?
A.—I decline to answer that question.
296. Q.—Did you receive any money on account of services rendered by you in connection with the same?
A.—I decline to answer.
297. Q.—Are you aware of any other cases in which sums of money have been given to Sergeant-major M'Garvey for services rendered by him to applicants for land orders?
A.—I decline to answer.
298. Q.—Have you directly, or indirectly, received any money for services rendered by you in connection with the issue or sale of land orders?
A.—No, none.
299. Q.—Is the statement in Lieutenant Talbot's letter of the 9th of February, that the matter was settled by you taking Gunner Pugh to Mr. Fahey and obtaining £118 for it, correct or not?
A.—It is not correct.
300. Q.—What took you to Lassetter's store to see Sergeant Gordon and Gunner Iredale?
A.—I very often call in there as I am going by; I had no special object in view.

By the Court :—

301. Q.—Did you on that occasion make a merely ordinary call?
A.—Just an ordinary call.
302. Q.—With reference to answer to question 294, what was the assistance rendered by you to Gunner Cunningham?
A.—I simply told him to make his application for it in the usual way; that is all the assistance I could give him.

Sergeant James Gordon, No. 2 Battery, duly sworn and examined :—

Pugh and Sutton still in Court.

303. Q.—Are you a friend of Pugh's?
A.—Yes.
304. Q.—In what light do you regard any statements made by him to yourself?
A.—Trustworthy.
305. Q.—Does he make a confident of you?
A.—Generally.
306. Q.—Do you know anything respecting the matters which form the subject of the present inquiry?
A.—Yes.
307. Q.—If so, please to state it as concisely as you can?
A.—In the first place Gunner Pugh came to me about the time his land order was due, and asked me what steps he had to take to obtain it. I told him to forward his efficiency certificates, and an application, to the officer commanding the Battery. The next time I saw him he said he had been speaking to Lieutenant Talbot; he said that Lieutenant Talbot did not seem to take much interest in looking after it. Then he said he went to Lieutenant Anderson respecting it, and he promised to see about it next day, and he came to Lieutenant Anderson the following night, and was told by him that he was not efficient—that he wanted one inspection, shot practice, and musketry, and some gun drills. I said to him that I was almost sure he was efficient. Shortly after, he came to me again, and said he had been to see Lieutenant Anderson again, and said that Lieutenant Anderson had been at the Brigade Office and seen Sergeant-major M'Garvey,

M'Garvey, and I think he said, Lieutenant Anderson said the returns for 1869 could not be found. I said that I thought it was very strange that the returns of the battery could not be found for that year. I think he said that Sergeant-major M'Garvey told Lieutenant Anderson that he usually got £5 for looking up the returns, and that he got £5 for less than that. That's the words he said to me. I said, were it my case I would not give anybody £5, nor 5s. He said that he would give £10 sooner than be balked in his land order, but that he would make it hot for him after. He said Lieutenant Anderson said to him he might please himself, but that he would not give him anything were it his case. He said then that Lieut. Anderson asked him what he was going to do with his land order when he got it. He said he was going to sell it. He asked him how much he wanted for it. He said he expected to get the highest price in market for it. Lieut. Anderson asked him if he got £100 cash for it would he take it. He said he would. I said he was very foolish that it was worth £120. He said he would give Lieut. Anderson £5 for his trouble. I said, was that in addition to the £5 that he promised to give Sergeant Major M'Garvey? and he said "Yes."

308. Q.—When did he first call upon you?

A.—Commencement of this year—I think early in January.

309. Q.—Was anyone else present during your conversation with Gunner Pugh?

A.—Nobody but my wife at any time.

310. Q.—How long before Pugh's getting his land order was the mention made of the £10?

A.—About a fortnight or three weeks, as near as I can recollect.

311. Q.—Are you aware of any cause which might induce Gunner Pugh to tell you anything about this matter?

A.—No, only for his own information.

312. Q.—Did he appear to regard them in a serious light, as involving either M'Garvey or Anderson in an illegal or improper transaction?

A.—I think he said it was a shame for a man to be treated like that by them, after having served faithfully for his land order. He referred I believe to Lieutenant Anderson and Sergt.-major M'Garvey.

313. Q.—Have you had any conversation with Pugh, or has he with you, relative to this matter, since the disclosure of it; if so, please to narrate it?

A.—Yes, Gunner Pugh told me that he was coming down to give evidence also about the letter from Lieut. Anderson, saying he had paid the £5 to Sergt.-major M'Garvey.

314. Q.—Did he say anything about the letter sent by Anderson?

A.—He told me he brought the letter to the Brigade Office, and showed it to Major Shepherd.

315. Q.—Did you speak to Sergt.-major Sutton on this subject?

A.—I remember Sergt.-major Sutton speaking to me about it once in the shop where I work.

316. Q.—What did you say to Sutton?

A.—I told him the same as I have stated here to-night, and I think I said it was a disgrace for a man to be put to so much trouble about his land order.

317. Q.—Was Pugh aware that you had done so?

A.—Not that I know of.

318. Q.—Why did you inform Sutton?

A.—I thought that Pugh was not dealt fairly with in being asked to pay money to obtain his land order, after working fairly for it.

319. Q.—Is there a division in No. 2 Battery with respect to its officers?

A.—I don't know of any division; if there is I am not aware of it.

320. Q.—Do you know anything about these matters beyond what Pugh has told you?

A.—No; nothing whatever.

To Gunner Pugh:—

321. Q.—You have heard this evidence. What do you say to it?

A.—I think it is correct, with a slight material difference—only the cart before the horse in one or two places.

322. Q.—Where does the cart come before the horse?

A.—In the matter of the drills that were wanted, and about the £5 to Sergt.-major M'Garvey; both items should be placed together, as one arose out of the other.

To Sergeant Gordon:—

323. Q.—Did you understand there was any complicity or conspiracy between Lieut. Anderson and Sergt.-major M'Garvey.

A.—If I understand Pugh right, I think he meant that there was.

324. Q.—Did Pugh give you to understand that either M'Garvey or Anderson wanted to extort money?

A.—Yes. He conveyed that impression to me. In fact I think he said that the very fact of the returns for 1869 not being forthcoming was done for the purpose of extorting money.

325. Q.—Did you understand, or did Pugh give you to understand, that the procuring of the certificate for 1869, which led to the issue of the land order, was a matter which required improper means to be resorted to, to get the same?

A.—I think Gunner Pugh seemed to fancy he was entitled to the certificate, and that there was nothing improper in his getting the same.

To Gunner Pugh by the Court:—

326. Q.—You have heard the latter portion of Gordon's cross-examination; is that part which has reference to the complicity between M'Garvey and Anderson correct; that is, did you think there was any complicity?

A.—I did not.

The Court adjourns at 11:40 p.m. until 7:30 p.m. on Wednesday, 8th April.

The Court resumed pursuant to adjournment, on Wednesday evening, the 8th April, at 8 p.m.

Mr. Robert Little Elphinstone, late Gunner No. 2 Battery, duly sworn and examined:—

327. Q.—You are not now a member of No. 2 Battery?

A.—No. I resigned last week.

328. Q.—Do you recollect going with Lieut. Syme to search the records of No. 2 Battery, with reference to Pugh's certificate for 1869?

A.—No, I do not.

329. Q.—What was your connection with No. 2 Battery besides that of Gunner?
 A.—I was secretary, and also I acted as treasurer for Drinkwater.
330. Q.—Did you ever make out any Returns of the Battery?
 A.—No, nor copies of any returns.
331. Q.—Where were the returns kept?
 A.—In charge of Quarter-master-sergeant Ainsworth, until his resignation, at his office York-street, to the best of my belief.
332. Q.—What is your profession?
 A.—Clerk at Messrs. P. N. Russell and Co.'s.
333. Q.—Do you know anything of your own knowledge of this matter of Pugh's certificate for 1869?
 A.—No.

Subsequently a letter (marked P) was sent in; Pugh stated that Elphinstone was writing at the desk when he came in with Syme.

Sergeant Clarke was summoned but failed to attend.

Gunner Pugh re-examined:—

334. Q.—Why did Sergeant-major M'Garvey tell you the date of your joining?
 A.—The Sergeant mentioned in the answer to question 55 is Sergeant Gordon.
335. Q.—Did you act on Lieut. Talbot's advice about requiring receipt, and if so, how?
 A.—I didn't pay any money, so I didn't get any receipt.
336. Q.—Was Lieutenant Anderson's letter to you in reply to a demand made by you for some evidence of payment to M'Garvey?
 A.—I did not make the least inquiry of Mr. Anderson at all.
337. Q.—Did you expect a letter, or memorandum from Lieutenant Anderson?
 A.—I did expect to hear from Lieut. Anderson.
338. Q.—Why?
 A.—Because I did not go down to pay the money that I told him to give the Sergeant-major.
339. Q.—Did you expect a demand for it?
 A.—I expected some intimation, a reminder, that I should pay it.
340. Q.—Did M'Garvey act to you as if he were in your pay, or was about to receive payment in your account?
 A.—I have no positive proof. I might have taken a wrong view of it. I might have imagined he was going to get it. I did imagine he was going to get it.
341. Q.—Did he ever lead you to imagine that money was coming to him from you?
 A.—No, he never told me so; I could not swear on oath that he did.
342. Q.—You must have known you had been asked to give this money for M'Garvey. How did you act towards him?
 A.—I did not act differently towards him than if I had not been asked to give the money.
343. Q.—Do you mean to tell the Court that in your interview with M'Garvey, or in your interviews with Lieutenant Anderson, you did not know the arrangement about the payment of the £5 was a secret one, and had better not be made public?
 A.—I did not see the necessity for making it public—it was a private transaction. I did not see it was to my welfare.
344. Q.—Why did you consider it was not to your welfare?
 A.—I heard that the books for 1869 were not to be got at at the time. I thought that the great difficulty that might be would be to be put in the way of my getting my land order.
345. Q.—How many times did you see Sergeant-major M'Garvey about this matter?
 A.—Only once, at Hyde Park, at drill time. I was not drilling; I went on purpose to ask him when my land order would be ready.

William Henry Royal, duly sworn and examined:—

346. Q.—What is your connection with No. 2 Battery?
 A.—I am an honorary member.
347. Q.—Were you present at a conversation that occurred between Lieut. Anderson and Gunner Pugh, respecting the issue of a land order to the latter?
 A.—Yes.
348. Q.—Will you state, as nearly as you can recollect, the substance of that conversation?
 A.—Yes. I saw Mr. Pugh in Mr. Anderson's shop, and Mr. Pugh was asking Mr. Anderson about his land order. I do not know the exact date. It was before any inquiry was made. Mr. Anderson told him that he had better see Mr. M'Garvey. Previous to that, Mr. Anderson told him he had better see Mr. Talbot, but Mr. Pugh said he had seen Mr. Talbot, and that it was no use going to him any more. Mr. Anderson said he would see into the matter, and see if Mr. Pugh was entitled to a land order or not. After that I saw Mr. Pugh in Mr. Anderson's shop, and Mr. Pugh told Mr. Anderson that if he should get £100 clear he would be perfectly satisfied, as he did not want to have any more trouble about it, and he wanted the money at once. Mr. Anderson told Mr. Pugh that to expedite the matter he had better see Mr. M'Garvey. Mr. Pugh said he could not come in during the day, as he was engaged all the day, and it was only in the evening he could come in; and said that if Mr. Anderson would see Mr. M'Garvey any trouble Mr. Anderson might be put to, or any time that was lost, Mr. Pugh would pay for, as he could not get in during the day himself. A few evenings afterwards, I was in Mr. Anderson's shop, and I understood from the conversation that he had seen Mr. M'Garvey, and that if he was entitled to the land order he would get it immediately. Mr. Pugh said if he got it, and got £100 from Mr. Anderson for it, he would be perfectly satisfied. I omitted to state before that Mr. Anderson told Mr. Pugh that Mr. M'Garvey would expect to be paid for getting the land order at once, and Mr. Pugh told Mr. Anderson that if it would expedite the matter to pay the amount of £5 to Mr. M'Garvey to get it at once.
349. Q.—With regard to the sale of the land order in question, did the proposal that Lieut. Anderson should have the disposal of it come from himself or Gunner Pugh?
 A.—It came from Mr. Pugh.

350. Q.—Did you hear Lieut. Anderson say that he would make it all right if Gunner Pugh gave him £5, or anything to that effect?

A.—No.

351. Q.—Did he say anything about his efficiency?

A.—Mr. Pugh said he was efficient, and Mr. Anderson said if he was efficient there would be no difficulty about him getting the land order.

352. Q.—At how many interviews between Gunner Pugh and Lieut. Anderson were you present?

A.—Three or four at least.

353. Q.—Did you ever hear Gunner Pugh offer £5 to Lieut. Anderson for taking trouble about his land order.

A.—No.

354. Q.—Were you present at every interview?

A.—I saw Mr. Pugh at Mr. Anderson's very often. I am positive I was not there at every interview, because I saw Mr. Pugh at Mr. Anderson's shop one evening just after coming to town, about a quarter to 9.

355. Q.—Did you ever hear Lieut. Anderson say anything that you understood to be an inducement to Gunner Pugh to give Sergeant-major M'Garvey any sum of money?

A.—No. I understood that Mr. M'Garvey was to have £5 for getting Mr. Pugh's land order, from the conversation I heard.

356. Q.—Who proposed to pay the £5 to M'Garvey?

A.—Mr. Pugh told Mr. Anderson to pay it. There was a memo. made in a waste book about it.

357. Q.—Are you intimate with Mr. Anderson?

A.—Yes, tolerably.

358. Q.—Do you know anything about Mr. Anderson's business transactions?

A.—We have been neighbours for the last 14 or 15 years, and I know him to be a gentleman in every sense of the word.

359. Q.—Do you know anything about his sales, or have you ever seen his account books?

A.—Yes. I was asking Mr. Anderson about M'Garvey. I had been supplying M'Garvey with goods, and asked him if it was all right. Mr. Anderson told me that he would not trust M'Garvey anything at all unless he paid for it. Previously Mr. M'Garvey had had things from me, and I am very sorry I did not ask before. Mr. Anderson told me he had supplied M'Garvey with goods, and that Pugh had become responsible to the amount of £5.

360. Q.—Have you ever seen Sergeant-major M'Garvey at Mr. Anderson's?

A.—Yes, several times.

361. Q.—Did you hear any conversation; if so, state what it was?

A.—During the inquiry Mr. Anderson told M'Garvey he wished he would not come to the shop so often, as he did not wish to see him there during the time this case was going on. I heard M'Garvey tell Mr. Anderson he had been placed under arrest. Mr. Anderson said he had not heard anything about it.

By Sergeant-major M'Garvey:—

362. Q.—Have I not been a constant visitor to Mr. Anderson's shop for the last four years to your knowledge?

A.—No. I am within one door of Mr. Anderson's shop; I have lived there for the last sixteen years, and I never saw you there so often as during the last three months.

363. Q.—Were not my visits to Mr. Anderson in connection with the Masonic Society?

A.—No. M'Garvey used to come in usually of an afternoon; we generally used to adjourn to the corner for a glass of beer, and it was generally over the beer the Masonic business was talked over, if any.

Gunner James Campbell, No. 2 Battery, duly sworn and examined:—

364. Q.—Were you present at any conversations that occurred between Lieut. Anderson and Gunner Pugh respecting the issue of a land order to the latter?

A.—I was on several occasions.

365. Q.—Will you state to the best of your recollection, the substance of such conversations?

A.—On the first occasion Gunner Pugh and I met at Mr. Anderson's shop. There was something said about the land order. Lieut. Anderson asked him if he was efficient; he said he was, and it was no use for him going to Lieut. Talbot any longer, as he considered that he was only humbugging him. Lieut. Anderson said in reply that he would go up to the Brigadier Office, through Gunner Pugh's request to see whether he was efficient. After this conversation Gunner Pugh said Sergeant-Major M'Garvey would require something for his trouble; he asked what was the usual fee. Lieut. Anderson told him he should not pay him a farthing.

366. Q.—Where did these conversations take place?

A.—Mr. Anderson's shop, George-street. Mr. Royal was present on one occasion.

367. Q.—Did you ever hear Lieut. Anderson say to Gunner Pugh that he would make it all right for him if he gave him £5, or anything to that effect?

A.—No, never.

368. Q.—Did you ever in any of these conversations hear Lieutenant Anderson say anything which you understood as an inducement to Gunner Pugh to give Sergeant-major M'Garvey £5 or any other sum?

A.—No, quite the contrary; Mr. Anderson told Gunner Pugh if he was in his place he would not give him a farthing.

369. Q.—Has it been a usual thing for gratuities to be paid for facilitating the issue of land orders.

A.—I have heard of it on several occasions, not in my own case, because I was justly entitled. Quartermaster-Sergeant Nobbs. in one case, Withers and Clarke are two others, who I believe were not efficient, according to information given me by Clarke.

370. Q.—Did you hear to whom these fees were paid?

A.—To Sergeant-major M'Garvey. I also mention that Sergeant Matchett, now in the Permanent Staff, received his land order without being duly entitled to it.

371. Q.—You mentioned a conversation in the year 1869 about Pugh's certificate for 1869. Please state it.

A.—A conversation took place between Lieutenant Syme and Gunner Pugh in 1869, about Pugh's efficiency for 1869. Lieutenant Syme told Gunner Pugh distinctly in my presence that he was efficient for that year. This was after parade one evening.

Gunner Pugh re-examined:—

372. Q.—You have heard Mr. Royall's evidence;—have you anything to say about it?

A.—His evidence is pretty correct with one exception; he mentioned a memorandum of which I have no recollection.

372A. Q.—You have heard Gunner Campbell's statement; have you anything to say about it?

A.—His evidence is pretty correct, but he omitted one circumstance, namely, that Lieutenant Anderson said he went to M'Garvey, and that M'Garvey said I wanted three drills, musketry, shot practice, and inspection. He said he usually got something for looking up the returns. Mr. Anderson asked him what that was, and he said he had got £5 when there was less trouble.

To Gunner Pugh:—

373. Q.—When you said you would make it *hot*, were you not anxious to get some evidence that would show that Sergeant-major M'Garvey had received the money?

A.—Yes, I should be if I paid the money.

374. Q.—Do you know of any case where Sergeant-major M'Garvey had received more than £5, in cases where he had less trouble?

A.—I don't know that he has of my own knowledge.

375. Q.—If you were really efficient, why should there be any trouble at all?

A.—Because in the first place I had not the certificate for 1869 in my possession. In the second place, because the Battery returns were not to be obtained on application to the Commander of the Battery. Lieutenant Anderson could not obtain them, and the Commander of the Battery would not interest himself in the matter in any way whatever.

Gunner Campbell cross-examined by Sergeant-major M'Garvey:—

376. Q.—Are you not influenced by private spite against me, consequent on your not having received your certificate for 1873, and to protect Lieutenant Anderson, in giving your evidence in this case?

A.—I am quite astonished at the question being asked. I am well aware that I was not efficient for 1873, having a Court-martial held over me. I did make myself efficient, which my case is yet before Parliament. I have no spite whatever, nor no reasons whatever for spite.

377. Q.—Did you never mention publicly you would crush me if you could, meaning thereby to deprive me of my situation?

A.—Never had any occasion for it.

378. Q.—Did you never, in consequence of your son's not having received his efficiency for 1873, threaten what you would try to do to me?

A.—Never; it never gave me a moment's thought.

By the Court:—

379. Q.—Do you recollect having an altercation with one of the staff at the opening of this Court?

A.—Yes, it was in connection with my case. Captain Fahey was outside. I told Captain Fahey to whom I was talking about the Volunteer Encampment, that they were a cowardly lot, meaning the Permanent Staff. They would not serve me in the same manner as what they did, laid me up for about eight weeks, which I sued them in the District Court for. The Judge there told me they had no jurisdiction. I said at the time they were too great cowards to go Home with their regiments for there was something hot waiting for them at Home, and they were not the soldiers to go Home for to face it. Sergeant Matchett then reported me to this Court for saying this.

380. Q.—You have no friendly feeling then for the Permanent Staff?

A.—I say that any man who has been enlisted as a soldier, and is afraid to go Home and do his duty, I count him as a coward—Permanent Staff, or any other soldier.

Sergeant Matchett, Permanent Staff, duly sworn, states:—

381. Q.—Do you recollect the altercation which you reported to this Court at its opening, in which Gunner Campbell was concerned? State it.

A.—The words I complained of were that Gunner Campbell said the Staff were a lot of scoundrels—or b—y scoundrels—he used one or both of these expressions. I asked him to use more moderate language relative to the Staff, or he should have to go outside, when he told me I was not able to put him out. Thinking it was a quarrel he wanted with me, as the only member of the Staff there, I thought it better to report the matter to the Court. Report handed in and read, which report was stated to have been made the same night at the request of the President.

Mr. Royall re-called.

382. Q.—You have heard the report read; what have you to say to it?

A.—I did not hear Mr. Campbell use the word "bloody," but he used intemperate language.

Gunner Campbell re-examined.

383. Q.—Did you use the words?

A.—No, I did not.

Court adjourned *sine die*, at 11:35 p.m.

The Court resumed at 5 p.m., on 15th June, 1874.

PRESENT:

MAJOR CLARKE.

CAPTAIN BOAKE.

Lieutenant Anderson handed in his statement to the Court.

Sergeant-major M'Garvey was called in.

Lieutenant Anderson, duly sworn, states:—

I am prepared to swear to the truth of all the statements made in the written document handed in to the Court, and signed by me.

[That portion of Lieutenant Anderson's statement, in defence, having reference to Sergeant-major M'Garvey, was read aloud by the Court.]

Lieutenant Anderson, on being asked, stated that it was substantially correct.

384. Q.—Your witnesses, Mr. Royall and Pugh, stated something about an equivalent to be given to Sergeant-major M'Garvey; are you prepared to swear that he had the equivalent at the time that you sent the letter to Pugh, asking whether he had paid the £5?

A.—Yes, and that it had sole reference to that.

385. Q.—Have you had any other transactions with M'Garvey—in connection with your commission, for instance?

A.—Yes, I had; for coaching me up, as the saying is, and for which he was very well paid, I consider.

386. Q.—If it is stated that this equivalent had reference to his coaching you up, is that correct?

A. No, it is not correct.

[Statement of Sergeant-major M'Garvey (1st) received 20th March, here read out by the Court.]

[Second statement by same (1st June) also read aloud by the Court.]

387. Q.—Is that statement correct?

A.—No, certainly not. I have never been coached up for 1st lieutenantship yet.

388. Q.—What were the goods given by you on account of Pugh?

A.—A gold albert locket, and renovation of old watch, which I value, at any rate, at £5. These things were delivered after I had seen M'Garvey and told him that I would be answerable for the money.

389. Q.—Did you ever pay Sergeant-major M'Garvey a fee for "coaching" you?

A.—I have paid him indirectly for services rendered.

390. Q.—Was the account between you and Sergeant M'Garvey squared off prior to transactions with regard to Pugh's certificate for 1869?

A.—No, I think not. There is a clock for which he owes me before this affair of Pugh's.

391. Q.—Has this clock anything to do with the equivalent?

A.—Not at all; this was long before that matter.

By Sergeant M'Garvey—

392. Q.—Was the clock simply cleaned; and what expense was incurred for the work?

A.—It was cleaned and repaired. I don't know what expense, not having my books; but somewhere about 12s. 6d.

Sergeant-major M'Garvey, duly sworn:—

393. Q.—Do you swear to the truth of both your statements sent in to the Court?

A.—I do.

394. Q.—Is Lieutenant Anderson in your debt?

A.—He is, for having coached him.

395. Q.—On what occasion?

A.—About six or seven months ago I prepared papers on gunnery for Mr. Anderson at that time. Some time after he told me that he did not intend going up.

396. Q.—Do you consider that you have earned the fee that you say you are usually entitled to?

A.—I do; and can assign a reason, by having prepared the papers supposed to be required for this purpose.

397. Q.—Who has the papers?

A.—Mr. Anderson. I gave them to him, with answers appended.

398. Q.—Have you ever been paid for any portion of this service?

A.—Except the cleaning of the clock, which I value at about 5s.

399. Q.—Did you ever coach Mr. Anderson previously?

A.—I did.

400. Q.—When?

A.—Prior to the date of his first commission, some four or five years ago.

401. Q.—What services did you render him then?

A.—The usual papers for the first examination.

402. Q.—What fee did you get for that service?

A.—A gold albert.

403. Q.—When did you receive the fee?

A.—About the time of Mr. Anderson's examination.

404. Q.—Did you ever get a second gold albert?

A.—I did.

405. Q.—When?

A.—About Christmas time. I swear it was about that time.

406. Q.—Will you swear it was before any mention was made about Pugh's efficiency?

A.—It must have been before, because no applications had been sent in, or mention made with regard to applications for land orders, as far as I know.

407. Q.—Will you swear it was before Lieutenant Anderson made reference to you about Pugh?

A.—I cannot swear without reference to my diary.

408. Q.—Why did you say about Christmas time?

A.—About that time I asked him, as my boy's birthday was approaching, viz., 17th January.

By Lieutenant Anderson—

409. Q.—When Lieutenant Anderson applied to you about Pugh's certificate for 1869, did you not tell him that you did not know Pugh?

A.—I did.

410. Q.—Did you say anything about his being deficient in any drills, parades, or practices?

A.—I did; I said there was a doubt about his musketry.

411. Q.—Do you swear that you gave to Lieutenant Anderson sets of examination papers, with answers annexed; i.e., papers for more than one examination.

A.—I swear positively I did.

412. Q.—Were not the papers you have mentioned as having been given to Lieutenant Anderson such as any person of average capacity might prepare from the books issued by the military authorities, and could not the answers to these questions be easily found in these books?

A.—They could be both prepared and answered by any person of average capacity.

413. Q.—Did you not receive two alberts from Lieutenant Anderson?

A.—

A.—I received one for his first examination, and a second early in January this year for coaching him for his second.

414. Q.—Were not the goods which have been mentioned in this examination as an equivalent, received by you in January, on 16th or 17th January, either the night before, or on the same day as your boy's birthday?

A.—I could not define the date, but I know it was some time before the boy's birthday.

415. Q.—Are you aware of your own knowledge whether Lieutenant Anderson made application to the Brigade Office to be examined for Second Commission?

A.—I am not aware.

By the Court—

416. Q.—What do you call "coaching?"

A.—Preparing officers for their examination in answering questions on which they are doubtful, and preparing questions on which they are likely to be examined.

417. Q.—Did you coach Lieutenant Anderson in any other way than has been stated before, viz., in handing examination papers with answers attached?

A.—In explaining the subject matter contained in those papers, and also in explaining matters in papers drawn out by Mr. Anderson himself.

418. Q.—Did you go to Lieutenant Anderson's place of business for the purpose of instructing him?

A.—Yes; for that purpose only. I had no other business there.

419. Q.—How long used you to stay there on each occasion?

A.—At various times I went frequently with reference to coaching Mr. Anderson for this second Commission; periods of staying ranging from half hour to an hour.

420. Q.—Will you swear that you did not make use of Mr. Anderson's shop as a convenient place for waiting until the Glebe Point Omnibus should pick you up, to take you to Lyndhurst?

A.—I swear that I did not; but on my days of going to Lyndhurst, I left home an hour or so earlier in order to have time to coach him while waiting for the 'bus.

421. Q.—Have you called for this purpose on other occasions?

A.—Frequently on other days than Thursdays, which are the Lyndhurst days.

422. Q.—How was it that there was any doubt about Pugh's musketry?

A.—That I cannot account for. At the time those returns were rendered, I had no control over them; I mean the annual and quarterly returns for any years before 1871.

423. Q.—From whom did you get the information with reference to Pugh's certificate?

A.—I got it from the annual return for 1869, which was then in my charge.

424. Q.—Do you know in whose charge they were in 1869?

A.—In Sergeant-Major Lees'; though any officer or non-commissioned officer might have had access to them.

425. Q.—Where were they then kept?

A.—They were kept loosely in the Sergeant's room in Hyde Park Barracks.

426. Q.—Was no one responsible for the safe custody of the returns?

A.—They were not under lock and key.

427. Q.—Did you notice anything wrong in the return for 1869 (No. 2 Battery)?

A.—I did not. I noticed some alterations and erasures, but I simply copied off as the figures were put down.

428. Q.—Did you notice that Pugh had only credit for nine gun drills (total) for the year 1869?

A.—I noticed under the total 9, gun drills, a something in the body of the return that appeared like a 3 or a 5.

429. Q.—How came you to certify to Pugh's efficiency when such discrepancies shewed in the returns?

A.—I simply had the returns read off to me, and took the numbers down as they were read off. I could not say who read them—one of the sergeants.

430. Q.—Do you remember the interview you had with Pugh when Mr. Anderson was with him?

A.—I do.

431. Q.—Were you aware at that time whether Pugh had gone through musketry?

A.—I was; as I had seen Sergeant Furnish, and ascertained that Gunner Pugh had gone through in 1869, and then came at once and reported the matter to the Brigade Major, requesting him to call upon Captain Compton for an extract from the Musketry Return for 1869.

432. Q.—How long before had you received that information?

A.—I believe on the day after the Colonel had told me of this report. I don't remember the date.

433. Q.—Referring to Pugh's evidence, with reference to this musketry at his own place of business, is Pugh's statement correct?

A.—Not with reference to me.

434. Q.—Do you swear that you never intimated to Pugh that he had not passed through musketry?

A.—I swear I never did.

435. Q.—Did you say to Lieutenant Anderson, "I might pay for those articles, or I might'nt?"

A.—No. That is also a falsehood.

436. Q.—Did Lieutenant Anderson say, if you didn't pay for them you might be kind enough to return them?

A.—He did; and I said I would charge him then three guineas for his coaching. This occurred in Mr. Anderson's shop, and not at Pugh's place. I was not two minutes in his company there.

437. Q.—You heard Mr. Anderson's statement with reference to a fee for procuring Pugh's certificate at once; is that correct?

A.—It is not, as I could not expedite the issue of a land order, or the certificate for 1869.

438. Q.—In what respect is Mr. Anderson's statement incorrect?

A.—The answer I gave to Mr. Anderson was, that unless Gunner Pugh forwarded his four certificates, referring to an advertisement and Brigade Order, he could not obtain it, but that he was not shown as having gone through musketry in '69.

439. Q.—Did Lieutenant Anderson say that Pugh would not mind paying you what you usually got for hurrying on those matters?

A.—He never mentioned such a thing.

By

By the Court to Lieutenant Anderson:—

440. Q.—Did you consider, or set it down as a fact, that the goods received in January by Sergeant-major M'Garvey were in any sense a payment towards his coaching you for the 2nd commission?

A.—Certainly not.

441. Q.—Did you advance those things to M'Garvey prior to Pugh's requesting information about his 1869 certificate?

A.—After he had authorized me, I advanced them.

442. Q.—Did M'Garvey mention what he wanted prior to Pugh's authority to you to pay?

A.—No.

443. Q.—Did M'Garvey come to you after your interview with him, and order these things as part or whole payment for his services in the matter of Pugh's certificate for 1869?

A.—Certainly he did; I should not have given them to him without Pugh's authority.

444. Q.—Did you get any coaching, or did you receive any examination papers with reference to an examination for promotion?

A.—Never.

Sergeant Major M'Garvey being asked if he had any witnesses to call, declined to call any, and declined to make any further statement.

The Court adjourned at 7:30.

M. W. S. CLARKE, Major,
President.

B. C. BOAKE, Capt.,
No. 7 Batt. V.A.

No. 3.

Statement of Lieut. Anderson in reply to the charges preferred against him by Lieut. Talbot, in his letter to the Officer Commanding Vol. Artillery, of 9th February, 1874.

To MAJOR CLARKE, Presiding, to CAPTAIN MACDONALD, to CAPT. BOAKE, Members of the Court of Inquiry, appointed under the Brigade Orders of the 19th and 25th February, 1874.

Gentlemen,

The inquiry you have instituted into the circumstances connected with the issue of the land order to Gunner Pugh has been so full, searching, and impartial, that I might almost be content to rest my defence to the accusation brought against me by Lieut. Talbot with reference to that matter simply on the evidence now before this Court. The only point on which I can further enlighten the Court on a matter of fact, has reference to the second charge contained in Lieut. Talbot's letter, viz., as to what passed between me and Sergeant-major M'Garvey, when I called upon him about Gunner Pugh's land order. On all the other points I rely on the evidence of Gunner Pugh, Gunner Campbell, and Mr. Royall, which is substantially correct, and which I am ready and willing if required to corroborate on oath.

Let me first of all call the attention of the Court to the fact, that the evidence just referred to is the only direct and positive testimony that was or could be given on the inquiry; and further, that the information on which Lieut. Talbot's accusation is based is at best mere hearsay, and that obtained from persons who formed their conclusions precipitately from vague and hurried conversations they had with Gunner Pugh—totally misunderstanding the nature of the part I took in the transaction. Had Lieut. Talbot taken reasonable care to sift the truth of these second-hand statements, as he had abundant means of doing, I am sure he would never have written the letter which has caused me so much pain, and you, gentlemen, so much labour and trouble. I have spoken of Lieut. Talbot as having made "charges" against me in that letter, and with all due respect and deference to the opinion of the Court, I must persist in regarding his statements as "charges," and charges too of the most serious character. I do so although he himself, as well as Sergeant-major Sutton, have emphatically protested before you that they have never made any charges against me. For in what other light can the statements in Lieut. Talbot's letter be viewed? Looking at the commencement and conclusion of that letter, it is evident that he considered my actings in the matter, on the several occasions which he specifies, as so flagrantly blamable that nothing but a disclosure of them to his superior officer could save himself from equal blame, or protect his character as "an honest man" from the imputation of overlooking "dishonest practices." Accordingly his letter is designated in the Brigade Order of the 19th February, and very properly, an "accusation." I assure the Court I have felt it as such. It has placed my honesty as a man, and my honor as an officer, under grave doubts and suspicion. It has occasioned my suspension for months from my Volunteer duties, and for that period has deprived me of the social position which, as a Volunteer officer, I am entitled to hold. It has given occasion to malicious insinuations against my character. If proved, it would have necessitated my degradation from my rank and my dismissal from the Force; which would have left an indelible stain on my reputation for life. I need scarcely add, that this has caused me much anxiety, and has at times so distracted my mind that I have been unable properly to attend to my business, and that without taking into account the time I have been compelled to lose by attendance on your Court. I cannot see, therefore, why Lieut. Talbot should shirk the responsibility of standing forward as my accuser, or deny that he has made any "charges" against me, except it be, that after what he has heard of the result of your investigation, he, although "an honest man," and detesting dishonest practices, is conscious that he has recklessly, and without foundation, called in question the honor and honesty of a brother officer, and is now aware that he has not acted in the spirit of the Queen's Regulations and Orders for the Army, which state that "it should be borne in mind that to prefer accusations which cannot be maintained is a practice highly inconvenient and injurious to the Service," (see 14 par. 735, 1868). Permit me to say that this caution is more applicable, in one respect, to the Volunteer Force than to the Army; for in the former, the injury and inconvenience occasioned by unwarrantable accusations do not only affect the efficiency of the Service, but compel the persons accused to absent themselves from their civil duties and

Note by Court.—The Court refuse to admit that they were sitting to try any definite or local "charge" against either Lt. Anderson or M'Garvey. Lieut. Talbot's letter might be termed a kind of charge, but his letter was only one of the documents connected with the case.

and ordinary business, sometimes to their great pecuniary loss, as has been the case with myself. Let me now call the attention of the Court to the circumstances under which I became mixed up with the transaction in question. It is clear from the evidence before you that Gunner Pugh applied to me in the first instance, in consequence of Lieut. Talbot having requested him to obtain, from some officer of the battery a certificate or assurance of his efficiency for 1869. Gunner Pugh naturally came to me as the second in command. In his evidence with regard to this he says:—"I wanted the land order, and I found it necessary that I should have four certificates of efficiency. I applied first to Lieut. Talbot personally in January. He was then, I believe, in command of the battery. He told me he was too busy to think of it. 'He knew I was a good man.' I called again a second time. He said it was all right, 'there was plenty of time.' 'I was bound to get the land order. I told him I wanted to get my certificate at once. He told me he would not sign the duplicate until he had examined the returns. I asked him if he would go and look at the returns himself. He said he couldn't take the trouble. He referred me to Lieut. Anderson. I applied to him because Lieut. Talbot referred me to an officer of the battery. He mentioned Sergeant-major Sutton." Now, at this time, Pugh's certificate of efficiency for 1869 was in the possession of Lieut. Talbot, and had been so ever since its issue, but had been lost sight of, and in fact was not discovered till after the institution of this inquiry, in the course of which it was produced to the Court by Lieut. Talbot himself. It appears then, that if Lieut. Talbot had not neglected to deliver Gunner Pugh's certificate for 1869 to him in due course, or if he had not been so busy, or so little inclined to exert himself to procure the necessary information for the issue of a duplicate, when Gunner Pugh applied to him, and if Gunner Pugh had not been under the impression (as he stated in his evidence) that Lieut. Talbot would only put him off and humbug him, if he made any more applications to him, I should never have had anything to do with the transaction at all.

Note by Court.—
This is, perhaps,
true, but it does
not touch the
point at issue.

And now I come to the specific charges made against me by Lieut. Talbot, with reference to that transaction. Without referring at length to the evidence taken by the Court upon each of them, I submit most confidently that, by that evidence, the rectitude of my conduct throughout the whole affair is most clearly established, and the several charges conclusively refuted. It will not have escaped the notice of the Court that these charges are couched in such vague colloquial terms, that taken separately and apart from the general substance of the letter they may be variously construed. They might bear a very mild interpretation or a very foul one; but there can be no doubt as to which was intended by Lieut. Talbot, when it is remembered that they are severally and together characterised by him as "dishonest practices." Thus, the first charge—"That I informed Pugh on the first occasion that I would *make it all right*, if he (Pugh) gave me £5," plainly insinuates that I knew, or wished Pugh to believe that I knew, that there was *something wrong* about his certificate for 1869, but which I could *set right* by some, it might be by dishonest means, and that I would undertake to do so in consideration of £5. But in whatever sense—good or bad—this statement may be taken, as a charge, it is clearly and positively disproved by Gunner Pugh himself, the witness who knew best about it. He not only denies that I ever said so, that I ever directly or indirectly, on any occasion hinted so to him, but he also says that if Sergeant-major Sutton made such a statement to Lieut. Talbot, he (Pugh) never corroborated it, and that if Lieut. Talbot has said so, he has said what is not correct. So much for the facts. The Court will consider then whether Lieut. Talbot had any justification for making the statement. Certainly there was some mention made about £5 that I was to receive from Pugh, either as a direct payment for the trouble I had taken about his land order, or as commission on its sale, but what was said on that point was said by Pugh himself, and, according to his own evidence, when he made the proposition, I neither assented to it nor refused it. "I said nothing." Indeed, I pay very little heed to such promises, knowing that when a person wants assistance in gaining an object, he is very liberally minded, but is apt to regret his generosity when his object is attained. The trouble I took in the matter was no more than I would have taken in the case of any member of No. 2 Battery, to whom I could render assistance in obtaining a land order, and I never stipulated for, or expected to receive, any gratuity for my services; and as a matter of fact, I never received any; and yet, I cannot admit that I should have done anything wrong in accepting such an offer as Gunner Pugh made me. He was engaged in his business the whole day, and could not leave it to call at the Brigade Office—he wanted the value of his land order very urgently. I could spare some time from my own business, and if I left it occasionally to attend to his, I don't see why I should not be justly entitled to some recompense for my trouble. However that may be, the fact is, that I stipulated for nothing, and have received nothing. This first charge, therefore, falls harmlessly (for me) to the ground. For making it, let Lieut. Talbot justify himself as he best may, although I feel deeply injured by his reckless and precipitate conduct, in making such odious charges as this, and the others against me, my object at present is, not to accuse him, but to exculpate myself.

Note by Court
explained by
Lieut. Talbot.
See Q. 114.

The second charge brings me into connection with Sergeant-major M'Garvey. It does not appear whether Lieut. Talbot regards him as a culprit or not—at all events, if there is any charge against him, it is only incidentally through me. Lieut. Talbot says that on the second occasion I told Pugh that "he would *have to give M'Garvey £5 also*." The words I have underlined, read in connection with the last paragraph of the letter, can convey no other meaning than this:—That I, finding that I could not by myself perform the promise I had made to Pugh, had employed the services of M'Garvey for that purpose, and represented to Pugh that an additional fee would be required to be given to him, which I persuaded Pugh to pay. In short, Lieut. Talbot would insinuate that I had made a confederate of M'Garvey with a view of obtaining false returns, thereby defrauding the Government, and at the same time plundering Gunner Pugh. How is this charge supported by the evidence? Gunner Pugh evidently did not know what to make of it. After some hesitation, he said it was partly true and partly false—a strange statement, but which, to the members of the Court who observed the demeanor of the witness, will be perfectly intelligible. For the context of his evidence shows that Lieutenant Talbot's statement is in point of fact wholly false, in fact, so far as the words "would have to" may imply any persuasion on my part, or the word "also" any complicity between me and M'Garvey. In fact, so far from persuading him (Pugh) to give anything to M'Garvey, I did all I could to dissuade him from doing so. It is in evidence that I told him that if it were my case I would not give M'Garvey a farthing, and that is as far as I could go in a case where a man urgently wanted money, and was at the freedom of his own will whether he would pay an unnecessary gratuity for obtaining it "at once" or not. The statements I made to Pugh about M'Garvey was the result of a conversation with M'Garvey, when I went to the Brigade Office about Pugh's

Pugh's land order. I then asked M'Garvey if he (Pugh) was efficient; he said, I think he wants musketry and shot practice for 1869, but let him apply to Talbot for it—I am not going to trouble myself about it for nothing. Pugh came next evening to me, and I told him what M'Garvey had said. Pugh said he must make a great mistake, and mentioned what testimony he could adduce to prove he was efficient for that year. I said, "M'Garvey will not evidently take the trouble to look up the returns *at once*, unless he gets paid for it; as he said, let him (Pugh) apply to Lieutenant Talbot; Pugh said, that it was no use, as Talbot would not hurry himself about it." He then said, "What does he usually get?" I said "I think he expects £5, and said so because I had heard that he had received something like that sum for like services in other cases," but I added, that if it were my case I would not give him a farthing, he then said, "You had better give it to him, as I want my Land Order at once," I think he said, to buy a house. I went up to the Brigade Office, and again saw M'Garvey, and said to him, "Mac, get Pugh's number of drills looked up *at once* as he wants very much to get his land order, and he does not mind paying what you usually get for hurrying on those things." M'Garvey replied, "I don't know Pugh, and after he once got his land order, he would forget me in the matter." I said, "It is all right, as Pugh has authorized me to pay you." He said, "Very well, that's settled." M'Garvey called at the shop next day, and said, "Pugh is quite correct, but he will have to go to Talbot, and get a duplicate certificate for 1869, and then make the application, enclosing the four certificates, and all will be settled." I saw Pugh the same evening, and told him what M'Garvey had said. Pugh said he would go to Talbot at once, and left my shop for that purpose; he called again the next evening, and said he had seen Talbot, but that he required the number of drills and parades he attended for 1869 from the Brigade Office. I went up to the Brigade Office the following day, and saw Sergeant-major M'Garvey, who gave me a list of Pugh's drills and parades for 1869, which I gave to Pugh for the information of Lieutenant Talbot. These are all the facts I remember with reference to the second charge. I am ready to swear to the truth of them if required, and I now leave it with the Court to say whether anything has been proved to show that I was in any conspiracy with M'Garvey to practice any imposition on the Government, or the Volunteer Authorities, or to take any unconscientious advantage of Gunner Pugh's necessities, or to use any corrupt means for the purpose of obtaining his land order; what I told him with reference to M'Garvey was a simple fact, I had no control over M'Garvey—no right to remonstrate with him for taking an expedition fee—no right to command him to go out of his routine duties to look up the returns of Pugh's drills and parades—no power to persuade Pugh to wait until he obtained his land order in the usual course through Lieutenant Talbot. I submit, therefore, that so far at this second charge implicates me in the accusation of being guilty of dishonest practices it completely falls to the ground.

The Court may perhaps think that I am going too far in assuming that Lieutenant Talbot meant to imply by his second charge that there was any complicity between me and Sergeant-major M'Garvey with reference to this matter; but I respectfully submit that there can be no doubt upon that point, if reference be made to the Battery Order of the 30th January, 1874, addressed by Lieutenant Talbot to Sergeant-major Sutton, by which he directs him "to be particular in seeing that Pugh gets a receipt from *each of the parties* he gives the £5 to, as he is determined to put this system of imposition to an end." The Court will observe that in this Order there is a direct suggestion to Sergeant-major Sutton to tell a lie, or at all events what neither of them could know to be the truth, in order to obtain the evidence which Lieutenant Talbot thought necessary for crushing me. Whether this under-hand system of dealing, or whether directing a subordinate, by untrue representations, or by entrapping the parties whose guilt is anticipated into furnishing damning evidence of their crime, or whether to entrap a crime to be committed for the purpose of getting evidence to prove it, be quite consistent with the character of "an honest man," or the honor of an officer, I leave the Court to determine. How could Lieutenant Talbot know, and how could he dare to order Sergeant-major Sutton to assert to M'Garvey that I would not be satisfied that Pugh had paid him the sum promised, unless I saw the receipt for it. In point of fact I did not care one straw whether he gave M'Garvey anything or not, and I should say that M'Garvey cared as little whether I received anything. It is no wonder that this clumsy scheme failed utterly—whether Sergeant-major Sutton was so shocked with his Commanding Officer's instructions that he refused to carry them out, or whether he found that the carrying of them out was impracticable, does not appear.

The third charge at first sight looks like as if Lieutenant Talbot had a right to dictate to me what I should or should not do in my ordinary business. It is well known that several officers of Volunteers make a business of buying and selling or disposing of land orders. Why should I not do the same; and why should I not make a lawful profit on such transaction? It is in evidence that Pugh first offered me the disposal of his land order, saying that he would be very well satisfied if he got £100 clear, as he believed that was a fair price at the time. He knew nothing of the state of the market, and as he could not come into town during the day he thought I might be able to negotiate his business quickly. Of course it was understood that I should have a commission on the sale, and from the state of the market, at that time, it could not be more than £5, if indeed it would amount to that sum. Now, let the Court observe how Lieutenant Talbot twists this simple business matter to my discredit and disgrace. "Lieutenant Anderson offered likewise either to get or give him £100 for his order, stating they were coming down in price fast." By which Lieutenant Talbot insinuates that I meant to take an unconscientious advantage of Gunner Pugh by a false representation, else how could a business matter like this form an item in an accusation of dishonest practices. And again, "this, however, was settled by Sergeant-major Sutton, who took Pugh to Mr. Fahey and obtained £118," meaning, of course that Sergeant-major Sutton had opportunely stepped in and rescued Pugh from my avaricious clutches. But this is a notable instance of Lieutenant Talbot's carelessness as to what he states as matters of fact, and of his recklessness in throwing odious aspersions on a brother officer. It appears clearly on the evidence that Sergeant-major Sutton had nothing to do with the settlement of the matter, that Gunner Pugh settled it all himself, and that I was very glad to hear that he had done better with it than he and I anticipated when he placed it in my hands for disposal. As to whether I could possibly have made a false representation as to the state of the market in respect to the sale of land orders for the purpose of still further plundering the unfortunate Gunner Pugh, let me set out here a paper which I submitted to the Court, but which was not received in evidence. It is extracted from the files of the *Sydney Morning Herald* for January, 1874, and shows the *selling prices* of land orders at various dates during the month in which I am stated to have made that representation. I may premise that it is notorious that the price of land orders fluctuates greatly from day to day, and that the selling price must necessarily be in advance of the real market value.

NOTE BY COURT.—Pugh on oath made the same statement to the Court. See first part of evidence.

NOTE BY COURT.—A statement written by Lieutenant Anderson was handed in for the purpose of asking Pugh whether such statement did or did not give the correct prices of the land orders. The Court did not put the question, as Pugh's answer could not be of any use either way or the other.

Extract from *Sydney Morning Herald*, 1874, Land Orders for sale :—

January 10th ...	£112	January 23rd ...	£106
" 17th ...	£112	" 24th ...	£104
" 19th ...	£112	" 26th ...	£104
" 20th ...	£110	" 28th ...	£104
" 20th ...	£100 (8 for £800)	" 29th ...	£112

I repeat again, that what I have herein stated as matters of fact, I am ready to affirm on oath if required. My notes of the evidence taken before the Court are very imperfect, and I would desire that if I have stated anything which is not fully borne out by the evidence taken by the Court, it may be corrected.

But upon the whole I humbly submit that, upon that evidence and my own statement, there is not the slightest foundation for the odious accusations which Lieut. Talbot has brought against me. If his letter was not a privileged communication, it would be a libel; and I am assured that upon the evidence taken before you, Lieutenant Talbot would be found not to have taken reasonable care in ascertaining the truth with regard to the charges he has laid against me, and consequently that these charges have been made by him without reasonable or probable cause; in such case if the plea of privilege were waived, the judge would certainly direct the jury to find that the libel was false and malicious. Although I feel myself deeply injured by Lieutenant Talbot's precipitate, reckless, and unfeeling conduct, I am unwilling to adopt such a conclusion. I believe the fact is that Lieutenant Talbot has allowed his zeal for the service to outrun his discretion—that he is more solicitous for the preservation of his own character as an honest man than careful of the reputation of others who like myself (according to his own evidence), apart from this transaction, are as honest and honorable as himself. It may be supposed that the preliminary investigation before Major Shepherd and the recommendation by him, as the result thereof, of this Court of Inquiry, shows that Lieutenant Talbot had good *prima facie* grounds for preferring his accusations. But it must be remembered that Major Shepherd's questions to the witnesses were leading questions and necessarily so—that the answers were taken hurriedly—were not on oath—and more than all that some investigation was requisite, and indeed would have been insisted on by myself, after Lieutenant Talbot's letter was placed on record.

I now gentlemen leave my case in your hand, confident that the same fairness and impartiality which you showed in the examination will appear in your report, that you will especially separate my defence from that of Sergeant-major McGarvie's, and that your determination will clear my character as an officer and a gentleman from the aspersions cast upon it. I have no ill-feeling towards Lieutenant Talbot; I am not conscious of any act or omission which should cause him to have an ill feeling against me. In conclusion I may say that besides the value of £5 in goods and workmanship, supplied on Pugh's account to McGarvie, I have lost much time and trouble and been put to a great expense over this transaction and have never received from Pugh one penny on any account.

I have &c.,

WILLIAM ANDERSON, 2nd Lieutenant,
No. 2 Battery, V. A.

STATEMENT of Sergeant-major M'Garvey with reference to the issue of Certificate for Grant of Land to Gunner Jno. Pugh, No. 2 Battery, V.A.

With regard to the granting of a certificate to Gunner Pugh for the year 1869, I simply did my duty in reporting on his attendance during that year.

Lieutenant Anderson came to the Brigade Office and told me that Pugh was not in possession of a Certificate of Efficiency for '69, but that Lieutenant Syme had told him (Pugh) that he was entitled to it, and that he would look after it for him. Mr. Anderson asked me to look up the Annual for '69, and give him a list of the parades and drills which Pugh had attended, with the view of obtaining for him a duplicate certificate for the above year. I gave Mr. Anderson an extract from the Annual Return, and I believe signed it, showing clearly that this man was entitled to his certificate.

I am perfectly innocent of having had any monetary transactions with Gunner Pugh, or with Lieutenant Anderson on behalf of Pugh, with regard to the issue of a land order to the latter. My business transactions with Mr. Anderson had reference to services rendered by me to him in preparing him for his examination to a higher grade in the service, and not with any other matter.

Being perfectly innocent of anything corrupt, and having only my own statement to substantiate what I here put forward, I leave the matter to the discrimination of the gentlemen comprising the Court.

D. M'GARVEY,
Sergeant-Major V.P.S.

Victoria Barracks, 1 June, 1874.

FURTHER STATEMENT of Sergeant-major M'Garvey in connection with the issue of Gunner Pugh's Land Order.

As mention was made by Pugh in his evidence that Mr. Anderson told him (Pugh), that he, Anderson, had given me goods with a view of my getting for Pugh his land order, I have in explanation of this matter, to state, as follows :—

Some months ago, when a number of candidates were about to present themselves for examination as to their fitness for promotion and appointment in the Volunteer Artillery Brigade, Lieutenant Anderson asked me to prepare for him some papers on artillery subjects (in fact such a class of questions as I thought he would most likely be examined on), as to his fitness for 1st Lieutenant in No. 2 Battery.

I accordingly prepared questions, such as I was preparing for other gentlemen going up for examination. In addition to this, I devoted a considerable time to Mr. Anderson at his place of business in explaining to him the subject matter of the papers I have above referred to; for the above service I received the goods referred to, and not in connection with Pugh. I may mention that my usual fee for preparing candidates for commissions is three guineas, and that the goods obtained by me from Mr. Anderson are not nearly of that value.

Some

NOTE BY COURT.—This hardly tallies with list extracted from files of *Herald* by Court. See appendix to report.

NOTE BY COURT.—The Court fails to see how Lieutenant Talbot could have investigated this matter himself. He explains why he reported the matter, and he acted on the advice of his commanding officer.

Some time subsequent to my having *coached* Mr. Anderson, he told me that Major Wilson advised him not to go up for examination; for, if he passed, he would hold the same rank as Lieutenant Talbot, and that as the latter gentleman was about to be examined for Captain it would not look well, evidently meaning that it would be bad taste for Mr. Anderson to *pit* himself against Mr. Talbot.

In conclusion, I have to mention that I would have explained this matter in my *statement-in-chief* only that I did not think that the cause of my having received the goods in question would have been so misrepresented by Mr. Anderson in order to try and clear himself.

Reference to Mr. Anderson's books of trade (if he will produce them) will prove the truth of what I have here set forth.

D. M'GARVEY,
Sergt.-major V.P. Staff.

No. 5.

Major Clarke to Lieut.-Colonel Richardson.

Sir,

Sydney, 30 June, 1874.

WE have the honor of now forwarding our report upon the conduct of Lieut. Anderson and Sergt.-major M'Garvey, in connection with the issue of a certificate for grant of land to Gunner Pugh of No. 2 Battery.

The Court met on the 9th, 13th, 16th, 20th, 25th March, and 1st and 8th April—it then adjourned to enable the persons implicated to prepare any rebutting statement which the evidence adduced might require. During the adjournment the President was obliged to proceed on business to Victoria, in consequence of which delay has ensued. Lieut. Anderson's statement, though ready, as he asserts, on the 21st April, was not forwarded until 10th June; and on the 15th June the Court reassembled to dispose finally of the evidence.

Lieut. Anderson was assisted throughout the investigation by Dr. Patterson, Barrister-at-law—and both Lieut. Anderson and Sergt.-major M'Garvey were present during the examination of the witnesses and were allowed every opportunity of exercising the power of cross-examination. Gunner Pugh, whose evidence formed the basis of the inquiry, was confronted with all the witnesses when he attended, and several of the other witnesses were likewise confronted with others.

All the witnesses, including Gunner Pugh, assumed that, undoubtedly, Pugh was entitled to his certificate for the year 1869, and, therefore, to his certificate for land grant. The non-delivery to Pugh of his certificate for 1869 was the first cause of Pugh's alleged grievances, which led to the report embodied in Lieut. Talbot's letter of 9 Feb., and subsequently to the present investigation.

The Court, therefore, deemed it of importance to ascertain whether Pugh was entitled to his certificates, and the result of their investigation on this point will be found embodied in the examination of Lieut. Talbot.

The facts relative to Gunner Pugh are as follows:—

He joined No. 2 Battery on the 15th September, and was enrolled on 1st October, 1868. In March, 1869, he appears by the returns to have passed through his preliminary recruit drills with the exception of the musketry course which he was unable to complete until 31st January, 1870. On the 1st January, therefore, when his certificate was made out and forwarded along with the other certificates he had not complied with the regulations, but when he had completed his musketry course at the end of January, he had only completed his preliminary course, otherwise complete in the previous March. To render him entitled to his certificate he must have, besides all this, attended 24 efficiency drills and parades prior to 1st January, 1870. According to the quarterly returns in the Brigade Office which agree (in Pugh's case) with the copies in possession of Lieut. Talbot, Pugh had attended only 21 drills and parades. In the annual return which can only be founded on these quarterlies, the total given to Pugh is 22, but one is evidently a clerical error, being merely a mark added up in mistake for a drill.

But on looking at the items forming the efficiency course several discrepancies appear between the annual and the quarterlies; and it is found that the annual has 1 shot practice more than the quarterly, which latter agrees with the Shot Practice Register. The annual in this case is manifestly wrong. And, whereas, the quarterly returns do not show any gun drills in the months of September, October, and November [the total (by them) up to that time being nine,] the annual shows five during those months. But the total of gun drills in the annual is only nine, which should have been fourteen if these five drills had been originally inserted. There is no foundation for these additional drills, nor is any authority produced to substantiate them. The same person compiled the quarterlies and the annual founded thereon. The December quarterly and the annual were forwarded, as usual, together, and the compiler, if he had intended to make Pugh an efficient in the annual, would have taken care to see that the last quarterly agreed with it. It does not agree with it; some of the figures are in a different hand, and the totals (not the sums of the figures) agree with the quarterly returns. Besides, if they had not agreed, the B.O. would have sent back the returns for correction, as is usually done.

The annual does not state whether Pugh had attended musketry, nor could it do so as the return had been sent in prior to Pugh's completion of that course.

These matters bear on the evidence relative to M'Garvey's certificates given to Lieut. Talbot and to the B.O.

The total of Pugh's efficiency drills, according to the quarterly returns and according to the totals given in the annual (diminished by one for a clerical error, as previously remarked), was 21. He accordingly required three more drills, which might be "shot practices," "inspections," or "gun drills." It is remarkable that the interpolator has made the number of gun drills in the annual fourteen, being the exact number required for an efficiency certificate in 1870 leaving his total nine, as previously stated, unaltered. These facts serve as guides to understand the meaning of the various hints which Pugh states were given to him through Lieutenant Anderson, viz., that he wanted "1" shot practice, "1" inspection, and will also account for Pugh's indignation on being told that he wanted musketry, which course he had actually gone through. Sergeant Gordon's evidence is suggestive. He states that Pugh told him that he (Pugh) had been informed by Lieutenant Anderson that "he (Pugh) was not efficient; that he wanted one inspection, shot practice, and musketry, and some gun drills." With the exception of "musketry" this was perfectly correct there are two inspections in the year; if Pugh had attended the second, it would have increased his number of necessary attendances.

It must be borne in mind that Pugh knew that there had been some discussion in 1870 about his non-efficiency for 1869, which discussion could not have taken place if the annual, *with its evident additions*, Q. 288. had been correct, and had been *so* sent in originally.

The Court cannot determine when the alterations were made in the "annual."

Pugh states that Lieutenant Syme examined the records, and made his "efficiency" clear—*how*, does not appear. The records, prior to the year 1871, according to M'Garvie's evidence, were lying loosely about in the charge of none, and accessible to any one, and it is *possible* that the additions were then made, though in view of the evidence hereinafter referred to, it is not probable. Qs. 423-426.

Lieutenant Syme did not join No. 2 Battery until the 11th July, 1870, and shortly afterwards, on 24th August, the certificate was signed and was ready for issue, but this fact was unknown to Pugh. Q. 152.

Pugh stated positively that Lieutenant Syme had interested himself about the certificate at the end of 1869. If Syme's exertions were of use, as *apparently*, according to Pugh, they were, and if used at that time, there should have been no difficulty about Pugh's certificate being signed with the others in the early part of 1870, instead of in August, and the quarterly return for December, 1869, [should have been in accordance with his supposed claims. That quarter's return shows Pugh's claim to be worthless. It seems remarkable, however, since Lieutenant Syme's association with the matter is so strongly insisted on by Pugh, that the signing of the certificate took place shortly after Syme's official connection with No. 2 Battery.

If Lieutenant Syme found the return, in accordance with the quarterly returns, as it must have been originally (if otherwise it would have been rejected by the B. O.) any certificate to Pugh must have been fraudulent. Lieutenant Talbot, who signed the certificate, along with the others, was unable to obtain the B. O. certificate for it, which shows that Pugh had not then complied with the Regulations, though Lieutenant Talbot had inserted 24 as the number of Pugh's drills. When the certificate was ready for issue in August, 1870, it bore the initials "T. B.," which represent the initials of Captain Baynes. Captain Baynes must have initialled the document after *inspection* of the "annual," which if *then unaltered* would have told its own tale that Pugh had only 22 drills, in which case the certificate would have been fraudulent, or, if it had then been altered, must have deceived him with the idea that the totals were merely clerical errors, and that Pugh was an efficient; or, he may have taken another man's word that he was signing what was correct. On the latter hypothesis this other man must have been deceived with the alterations, or have given a false certificate, or have made the alterations to deceive.

In connection with this matter it was stated by Lieutenant Talbot that the original document had been lost, and that he had been requested to forward his copy by the hands of Sergeant-major M'Ewen. This loss is evidently alluded to in Sergeant Gordon's evidence in Pugh's. But Sergeant-major M'Garvey stated that the copy was wanted for 1868, and Lieutenant Talbot is not very clear as to the circumstance.

It is *possible* that Lieutenant Talbot filled up Pugh's certificate, *without due investigation*, with the minimum number required, and *taking for granted* that Pugh had fulfilled his part (though his own returns proves he had not) he forwarded the document for signature in January, 1870.

The certificate was never issued to Pugh, for during the investigation by the Court, Lieutenant Talbot discovered it amongst his papers; he could give no reason why he had not issued it.

In January, 1874, when, if he had fulfilled the necessary conditions, he should have been entitled to his land order, Pugh applied for his certificate, but was told that he must produce his annual certificates for the previous years. Not being in possession of that for 1869 he applied to Lieutenant Talbot, or Lieutenant Anderson (it is not clear whom), for a duplicate. Lieutenant Talbot, who had been on leave, resumed command on 1st January, as per B. O. of 8th. He had lost sight of the fact that he had possession of Pugh's certificate for 1869. Being in trouble at the time, he was not in a frame of mind fitted for searching his records for the purpose, so that he referred Pugh to Lieutenant Anderson, or Sergeant-Major M'Garvey, for a certificate, upon whom he might safely issue his duplicate. Pugh applied to Anderson, Anderson applied to M'Garvey. Lieutenant Talbot was not satisfied with the mere assurance that Pugh was an "efficient," but required the actual details. Upon which a certificate was given by M'Garvey, dated 17/1/74, to the effect that Pugh had attended—

- 5 B. parades
- 6 Company
- 14 Gun drills
- 2 Shot practices
- 1 Inspection

Total ... 28

Upon this Lieut. Talbot issues a duplicate—19/1/74. Pugh then obtains the services of his friend Reid to write out his formal application for the land order, dated 17/1/74, which is forwarded by Talbot (20/1/74) to Major Shepherd, who (22/1/74) forwards it to the Brigade Office. M'Garvey appends certificate for Pugh's five years' services, dated 23/1/74, and on *morning of same day* sends a memo. to Pugh that his land order would be ready that afternoon. The authority is not given by the Commandant until 28/1/74, after inquiring of "S.-M. M'Garvey—Musketry?" and M'Garvey inserting in his certificate—"Musketry 1."

M'Garvey at this time did not know whether Pugh had passed through musketry or not. It was not stated on the annual, and he found it out, as he swears himself, only "on the day after the Colonel had told me of this report." And yet he states he got the information relative to Pugh's efficiency from the annual return for 1869.

On 28/1/74 Pugh came to the B. O. and found S.-M. Sutton, who asked him if he had received his land order yet; he told him "No; I expect to get it as soon as the Colonel comes." There is no doubt that up to that time Pugh had intended to let Mr. Anderson have the order for £100, but on the suggestion of his friend Gordon, that it was worth £120, and on the offer of S.-M. Sutton that he could obtain £117 for it; Pugh thought he might as well himself secure the market value. He went to Mr. Fahey and sold to him, on the 28/1/74, for £118, failing to keep his appointment with Sutton, who was to meet him half-an-hour after the issue of the land order for the purpose of taking him to the person who had offered £117.

Pugh

Q. 152.

Cs. 116, 119, 239.
Q. 307.
Cs. 344, 375.

Forwarded with the other documents.

NOTE.—Lieutenant Talbot could not have given a certificate from the documents in his possession, as these documents (copies of 1869 quarterlies) agree with reference to Pugh's case in every particular and with the originals in the Brigade Office, and these prove that Pugh had not complied with the regulations. It was as well, perhaps, for Pugh, that Lieutenant Talbot did not hunt up his documents.

NOTE.—The only other possible hypothesis is that Lieutenant Talbot, being anxious to secure for his Battery Pugh's capitulation allowance for 1869, persuaded Captain Baynes to sign the certificate under the impression that Pugh really was efficient at that time, and that having obtained the capitulation allowance, which was not due in reality, he determined not to issue to Pugh that to which Pugh was not entitled. Pugh stated Q.—that Talbot told him he was not efficient at the close of 1869, and hence his name did not appear on the "List on the Blackboard," together with the others. Talbot may have recollected there was a doubt, and hence probably his insisting upon exact details before signing the duplicate.

See appendix and comparison of Certificates.

Q. 284.

See Appendix.

See memo.

Q. 432.
First intimation from Lieut. Talbot, 9/2/74.
Q. 428.

Q. 243.

Q. 307.

Q. 243.

Pugh appears to have acted throughout shrewdly, and does not seem at all a person who could be easily taken in. He seemed to be fully aware of the nature of the questions put to him, and was not likely to accept any person's statement as to what was the market price of an article without finding out for himself.

We are disposed to think that he has proved himself to be so anxious for all the parties with whom he came into communication.

Before, however, Pugh was in possession of his land order, he had to submit to a form of "black mail," the disclosure of which occurred thus:—Pugh, smarting from what he conceived to be an unjust demand, gave his friend Gordon a history of his grievances; from him it came to the ears of S.-M. Sutton, who reported the matter to Lieut. Talbot. Talbot, after drill on the evening of the day on which Pugh had received the price of his land order, had an interview with Pugh and S.-M. Sutton. The substance of what Pugh stated was taken down by Lieut. Talbot as soon as he arrived at home. This writing is substantially the same as his letter of 9th February. Lieut. Talbot on oath verifies the truth of what he stated in that letter; and S.-M. Sutton, also on oath, declares that Pugh stated to Lieut. Talbot what the latter reported to Major Shepherd. Previously to that letter Lieut. Talbot had written privately to Major Shepherd asking his opinion as to what should be done, and Major Shepherd had advised him to report it at once. As soon as the official report had reached him, Major Shepherd held a preliminary investigation on the 11th February, on which occasion Pugh stated that "he offered Lt. Anderson £5." Lieut. Talbot and S.-M. Sutton state that Pugh told them that Anderson had said that "he would make it all right if Pugh would give him £5," or words to that effect.

28-1-74.

Now it was impossible not to notice the evident reluctance on the part of Pugh, coupled with his remarks to several of the witnesses to bring Lieut. Anderson into trouble, and the evident desire to shift the whole blame on S.-M. M'Garvey. Pugh endeavoured during his examination frequently to modify his previous statements when he thought of their effect on Lieut. Anderson's case, and hence the Court do not place much reliance on his exculpatory statements relative to Lieut. Anderson.

NOTE.—This memorandum (see Appendix) is corroborative to a certain extent of what Lieut. Talbot's recollection of Pugh's statement was.

Lieut. Talbot sent an order to S.-M. Sutton "to see that Pugh gets a receipt from each of the parties," and stated his determination to put such "imposition" down. Pugh attended the preliminary investigation by order. Pugh must now have known that his statements were likely to be made public, and were likely to injure Lieut. Anderson, who, in his estimation had taken his part when Lieut. Talbot had, as he imagined, neglected his duty. Pugh denies that he said anything about an offer made by Lieut. Anderson. But we have two witnesses who swear to those words, one of whom acts on them. In this dilemma the evidence of Sergt. Gordon is opportune. Pugh poured forth his grievances to him before he had an idea of anything resulting from them. Pugh gave him to understand that there was complicity between Anderson and M'Garvey; and Gordon says, "I think he said it was a shame for a man to be treated like that by them after having served faithfully for his land order; he referred, I believe, to Lieut. Anderson and S.-M. M'Garvey."

30/1/74.

323. Q. 312.

But whether Pugh made the offer to Lieut. Anderson, or Lieut. Anderson made the offer to him, the result would be the same, viz., that £5 should pass from one to the other; for, as Pugh puts it, "he led me to believe he would take it by not refusing the offer."

NOTE.—This is of course only Gordon's opinion, but it shows the light in which these transactions were originally regarded.

Qs. 61-2.

The offer by Pugh to Lieut. Anderson to let him have his land order for £100 comes to the same thing, for the price at that time was £110, which would have given £5 to each and the profits as well to Lieut. Anderson.

Lieut. Anderson admits having received the offer from Pugh, and does not see anything improper in the transaction. If Pugh had been really entitled to his certificate for 1869, and if it had been a question of mere labour only, it might have been excusable, though not delicate, between an officer and one of his Company. But, though Lieut. Anderson were a dealer in land orders, the fact would scarcely justify him in assisting a man to obtain his land order, about which he must have known there was some doubt (see his statement), in persuading him that the market was falling, and in telling him that though he would not pay M'Garvey one farthing Pugh could only get the land order at once by paying M'Garvey's fee.

See Anderson's statement.

If Lieut. Anderson really believed that the market price would fall, as Pugh states he told him, and as he endeavours to show in a table* in his statement, he had a personal inducement in persuading Pugh to be quick in his movements; and if the market price were rising, which was the case, he had a stronger inducement in preventing Pugh from lingering over the bargain and, perhaps, selling elsewhere.

S.-M. M'Garvey states in his evidence that he could not expedite the issue of either the certificate or the land grant; but the following facts will prove this statement incorrect: Pugh's formal application is dated 17/1/74. Talbot forwards it to Shepherd, 20/1/74. Major Shepherd forwards to B.O. 22/1/74—probably in the afternoon†—yet on the morning of the 23rd we find that Pugh's efficiency is certified to at foot of application by M'Garvey, and on the same morning (Friday) he sends a messenger to Pugh with a letter‡ (see Appendix) to tell him that he expects his land order will be ready on that afternoon.

NOTE.—It is an evident fact that Lieut. Anderson expresses himself as conscious that M'Garvey's alleged demand was improper, and yet, so far from reporting the matter (clearly his duty), he not only passes it over but he advises Pugh to compound by payment.

Q. 40.

We are here brought to a transaction directly between Pugh and M'Garvey. M'Garvey swears that he did not know Pugh before these events, and yet he goes out of his way to oblige a stranger in a matter which, in ordinary course of business, should have made no difference to him. Considering that numbers of applications were continually coming in, it does appear as if Pugh's history had been previously hunted up—and was copied down at once, on his application coming in. We cannot account otherwise for the unusual haste displayed on this occasion. The application was not one day in the B. O. before this messenger was dispatched to Pugh. Pugh swears that the messenger was sent in consequence of a prearranged plan between him and M'Garvey. The whole of this affair leads unmistakably to the conclusion that there must have been a previous discussion of Pugh's efficiency as sworn to by Lieut. Anderson.

The time of the Court was greatly taken up with statements reflecting upon Lieut. Talbot, and which seemed to disclose great animosity towards that officer, and were, no doubt, intended to lead the Court to believe that Lieut. Talbot was actuated by base motives when he brought the matter before the authorities. We do not intend to enter upon the merits of this real or imaginary grievance, but we do not see how Lieut. Talbot could have acted otherwise.

* Incorrect—see Appendix. † Probably after M'Garvey had left the office for the day. ‡ NOTE.—See memo. annexed.—No date is attached to this memo.: but the days of the week mentioned therein exclude any other date except 23/1/74.

It was no doubt detrimental to Pugh that Lieutenant Talbot had not issued the 1869 certificate; and if he had done so this matter might never have come to light, unless a strict investigation had been instituted into the case by the Brigade Office before issue of the land order. In so far then Pugh may have had a grievance, but it was a grievance founded on a possible fraud.

The same remarks apply to M'Garvey as are applicable to the signing of the original certificate for 1869. If the "annual," upon which the certificates to Talbot and the Brigade Office were based, had been untampered with at that time, he could not have truthfully certified as he did; and if he certified from the document, altered as it now appears, he must have seen that no mention is made of "musketry," and that the figures were palpably wrong (as he admits in his evidence). His plain duty to the Brigade Office was to refer to the "quarterlies," which were close at hand, in order to protect the Brigade Office against a possible fraud.

Now, the evidence is clear to the Court that on the afternoon of the 11th February, M'Garvey pretended not to know or did not know that Pugh had attended musketry. Pugh's evidence on this point is straightforward, and is given in the presence of both Anderson and M'Garvey, who were both stated to have been present when the statement was said to have been made by M'Garvey. Q. Q. 76, 254.

The Court concludes then, that the certificate by M'Garvey as to musketry, though correct as to the fact, was not in fact a genuine certificate, as the statement was not derived from any document, but was simply inserted to pass the application.

The fact is that Pugh was not an efficient for 1869 according to the quarterly returns, upon which alone the "annual" is based, and that consequently he is not entitled to his land order yet.

With respect to Sergeant-major M'Garvey we have only Lieutenant Anderson's version of what took place between him and M'Garvey, for Pugh's evidence on this point is only second-hand; but as Pugh confirms by his evidence what he had before stated on this point when the matter was fresh in his mind, it is of service. We have also Lieutenant Anderson's letter to Pugh telling him that he had paid M'Garvey £5. We have also Pugh's statement that M'Garvey told him in presence of Lieutenant Anderson—"I have received no £5 off Mr. Anderson." The statements are thus apparently contradictory, but they may be easily reconciled by the fact that no money has actually passed between Anderson, M'Garvey, and Pugh.

It is clear to the Court that M'Garvey and Anderson had had business transactions previously to and during the time when Pugh's matter was in question, and that it was not the intention of Lieutenant Anderson to pay £5 to M'Garvey, or to let Pugh pay him. M'Garvey had an account at Anderson's shop. Pugh consents to allow Anderson to pay £5, or an equivalent in goods. M'Garvey states that all the goods he had ever received and that all the work done for him at Anderson's were on account of fees due to him by Mr. Anderson for what he terms "coaching," *i.e.*, preparing Mr. Anderson for his examinations for commissions.

M'Garvey stated that he received the articles (termed "equivalents" by Anderson and Pugh). Anderson of course implies that the last goods received were equal in value to £5; M'Garvey tries, on the other hand, to show that they were not worth more than £3, which he states is his usual fee for "coaching." He states that he ordered them about "Christmas time." Why, then, is not clear, as it is evident he did not require them until 17th January, as a birthday gift for his boy—and at that time three months had elapsed since the examination, and possibly more, since Mr. Anderson had received the "coaching,"—if he ever had received any,—for he did not appear at the examination, nor did he send in his name officially as a candidate.

The Court could not fail to detect a hesitation on the part of M'Garvey as to the dates of this transaction, and thinks it extremely probable that the goods were not ordered until about the second week in January.

It is clear to the Court that Pugh has been supplied with a false certificate, and that M'Garvey knew there was a "hitch."

It would have been no object to Anderson when Pugh first went to him, to throw difficulties in his way, though afterwards, when the difficulties were in the way, he might have utilized them.

It seems impossible that Anderson could know anything about Pugh's want of drills, except from M'Garvey, or from a personal inspection of the returns; but M'Garvey admits that Anderson came to get him (M'Garvey) to hunt them up, and Talbot alone had possession of the Battery duplicates, which he was not in a position to search for. He might have known the fact from previous knowledge, but this is improbable, as he had no official connection with the Battery documents in 1870, and could hardly have had occasion to refer to Pugh's efficiency for 1869, prior to this-present year, and could scarcely have recollected the circumstances if he had.

We conclude, then, that Anderson received his statements relative to Pugh's non-efficiency from S.-M. M'Garvey.

If Pugh was non-efficient, the certificate was false; if he were an efficient, the statement that he was not was purposely made for, as is most probable, an inducement to come to terms, as was also the statement that the records of 1869 were missing which, Gordon plainly says, was considered such by Pugh.

Now it is contrary to all experience to imagine that M'Garvey should have gone out of his way to oblige a man who was not a friend of his, unless for compensation, which Anderson swears was distinctly promised to him on Pugh's account. We conclude then that Anderson's statement with regard to the £5 compensation to M'Garvey is substantially correct.

With respect to Lieutenant Anderson we have the evidence corroborated by his "statement" and evidence, that he was told by M'Garvey that Pugh required some drills to complete his efficiency for 1869. Pugh states in his preliminary examination before Major Shepherd, "Lieutenant Anderson told me he knew I wanted the drills." Pugh tried afterwards to tone down this statement, but the evidence of his friend Gordon, to whom he first confided his troubles, states, "He (Pugh) came to Lieut. Anderson the following night, and was told by him that he was not efficient—that he wanted one inspection, shot "practice and musketry, and some gun drills." Shortly after he came to me again and said he had been to see Lieut. Anderson again, and said that Lieut. Anderson had been at the B.O., and seen M'Garvey, and I think he said the returns for 1869 could "not be found," &c. At all events, though Lieut. Anderson may not have known, of *himself*, that Pugh wanted the drills, yet he was cognizant of M'Garvey's statement respecting them.

And though it is on record that Lieut. Anderson advised Pugh not to pay (or said that if it were his case he would not pay) as he viewed it as an imposition, yet at the same time he hints at the necessity of

NOTE.—It is only right to mention that Pugh's next certificate for 1870 appears to be in Lieut. Anderson's handwriting.

If not correct Lieut. Anderson was attributing corrupt conduct to a respectable official.

Sworn to by Major Shepherd, Qs 13, 14, 15, 16, 17.

NOTE.—This remark would plainly int make that the "Annual" had at that time (Jan., 1874) not been amended by the addition of 5 gun drills necessary to complete the legal number of 14. And it would be clearly a matter beyond the power of any person, except the Commander of the Battery, to insert these alterations authoritatively. Lieut. Talbot swears he did not make them (see his evidence), and the return originally had them not. If, however, they had been inserted previously, and if the documents were considered trustworthy, why this imposition on Pugh?

of paying M'Garvey, if he (Pugh) wished to have the land order *at once*. There was thus a strong inducement held out to Pugh to close the transaction—independently of the inducement to himself relative to profits arising from the sale—Lieut. Anderson speaking at the same time of the *hardship* of paying the demand, the *necessity* of paying it, and of the *loss of the records*, which were never even mislaid [this imaginary loss was no doubt intended to imply a probable delay in hunting up records of drills, and perhaps a postponement of the issue of the order for another year], and of an *ascertained* deficiency in Pugh's drills for 1869.

We are not surprised that Pugh consented to the terms. We do not wish to imply that Pugh was satisfied himself with the statement that he was non-efficient, but he must have been impressed with the idea that unless he paid the £5 he might never receive the land order at all.

Lieut. Anderson, while he was the medium of communication between M'Garvey and Pugh, must have been aware that, if M'Garvey's statements were true as to Pugh's non-efficiency, he (Anderson) was encouraging Pugh to defraud the Government, and that if M'Garvey's statements to him were false, he was assisting M'Garvey to impose on Pugh.

If, however, we accept as correct M'Garvey's version of the transactions between himself and Anderson, we must come to the conclusion that there was a single-handed attempt on the part of Anderson to cheat Pugh, and either to slander or to cheat M'Garvey.

We beg to refer you to the evidence generally, and especially to that of Mr. Royall, one of the witnesses called by Lieutenant Anderson.

With reference to several matters referred to by various witnesses respecting other persons, who are stated to have been wrongfully in possession of their land orders, the Court did not feel justified under their constitution to investigate them; but the President has forwarded the results of his own investigations under separate covers.

We have, &c.,
 M. W. S. CLARKE, Major, President,
 JOHN MACDONALD, JUNR., Capt., } Members.
 B. C. BOAKE, Capt., }

No. 6.

Major Clarke to Lieut.-Colonel Richardson.

Sir,

Sydney, 10 April, 1874.

DURING the inquiry into the matters connected with issue of L.O. to Pugh of No. 2 Battery, Lieut. Talbot was asked in a significant way by Lieutenant Anderson (Question No. 143): "Did you not forward an application for a land grant for Furness this year?" He replied; "I did in the usual way."

It appeared to me to imply more than was elicited. I therefore analysed the attendances as recorded for Furness. The result is on the other page.

It shows that Furness is not an "efficient" for either 1868 or 1869, and that the "annual" for 1869 has been altered so to make him efficient for 1869.

I have, &c.,
 M. W. S. CLARKE, Major,
 President, Court of Inquiry.

P.S.—In answer to Q. 238, Lieut. Talbot referred to his certificate book, and it appears that the original certificate was cancelled and marked, I think, in your handwriting in red ink, "Cancelled—wants musketry." This will then complete the proof of this man's non-efficiency.

Gunner Wm. Furness (stated by Sergeant-major M'Garvey to having joined February, 1868.)

Number.	Rank and Names.	Battalion Parades for Quarter ending				Parades of the Corps for Quarter ending			Gun drills.												Shot practice for Quarters ending		Official inspection Dates.		Musketry instruction.	Total Parades and Drills.	Classed as efficient, 1 Jan., 1870.	Remarks.			
		31 Mar.	30 June.	30 Sept.	31 Dec.	31 Mar.	30 June.	30 Sept.	31 Dec.	Jan.	Feb.	March.	April.	May.	June.	July.	August.	Sept.	October.	Nov.	Dec.	Localis.	31 Mar.	30 June.					30 Sept.	31 Dec.	19 June.	18 Dec.
30	Wm. Furness.	1 f.g.	2 f.g.	* 2 f.g.	* [B	1 f.g.	* 1 c.	* 2 c.	4	1	1	1	1	*	*	*	*	*	7	1	1	1	†	19	†	†In pencil.

The figures marked * are entries made subsequently to the returns having gone in; for no man in his senses would have "7" the total in one case or 19 in the other of the figures as now written.

Furness did not attend musketry, nor did he attend shot practice for year 1869, though in the Annual he is given "one" in March quarter. He was not an efficient on 1st January, 1869.

QUARTERLY RETURNS.

Mar.-Jan., Nil. }
 Feb., 1 c. } 3
 Mar., 1 c. f.g. 1 c. off. f.g. }
 June-Apr., 1 g.g., 3 f.g., 1 c. off. }
 May, 2 com. off., 1 f.g. } 11
 June, 1 in., 1 com. off. 1 f.g. }
 Sep.-July, 1 c., 1 com. off., 1 f.g. } 3
 August, Nil }
 Sep., Nil. }
 Dec.-Oct., Nil. } Grand total, 18.
 Nov., Nil. }

There was also an error before the annual went in, as 1 shot practice has been allowed in error.

ANALYSIS OF THE ABOVE.

	By the Quarterly.	By the Annual.
Battalion ...	6	9
Company ...	3	6
Gun drills ...	7	11
Shot practice ...	0	1
Inspection ...	2	2
	18	29

Copies of Lieutenant Talbot's quarterlies agree with above analysis of quarterlies.

Annual for 1868 accord to Mr. Talbot's copy.

Furness.	...	1	1	1	1	1	1	1	...	2	...	1	2	...	0	3	1	1	...	17	...	Recruit.
----------	-----	---	---	---	---	---	---	-----	-----	-----	---	-----	---	-----	---	---	-----	---	-----	-----	---	---	---	-----	----	-----	----------

* This 3 is also in quarterly for Dec.; but shot practice register, marked "A," shows only 1.

Therefore non-efficient 1 January, 1869.

M. W. S. CLARKE, Major,
 President of Court.
 Major

10/4/74.

Note.—In several instances returns have been so evidently tampered with as to lead to the high probability that they were altered to suit Pugh's case.

Major Clarke to Lieut.-Colonel Richardson.

Sydney, 10 April, 1874.

Sir,

I HAVE the honor to report, in anticipation of the Report of the Court of Inquiry into the circumstances connected with the issue of L. O. to Gunner Pugh, of No. 2 Battery, V.A., that in answer to question No. 294, by Lieut. Anderson, S.-M. Sutton said he had assisted Gunner Cunningham in obtaining his land order. He declined to answer questions No. 295 & 296, as to whether S.-M. M'Garvey or he himself had received any money on account of that transaction.

When asked by the Court (Q. 302), he stated that all the assistance he could render was telling him to make his application in the usual way.

Thinking that the questions were not prompted solely by curiosity, I analysed the returns, and have now the honor of presenting the analysis enclosed herewith.

I consider that a most scandalous case has been disclosed.

I have, &c.,

M. W. S. CLARKE, Major,
President Court of Inquiry.

GUNNER CUNNINGHAM, No. 2 BATTERY.

In the Annual for 1868 Lieutenant Talbot's copy the following attendances are given:—

Battalion,	Sept. qr.,	1	1	} 11. In Margin "recruit."
Company,	" qr.,	1	2	
	Dec. qr.,	1		
Gun Drills,	April	2	} 6	
	May	1		
	July	2		
	Oct.	1		
Shot Practice,	Dec.	1	} 2	
Inspection	"	1		

On turning to the Dec. quarterly return for 1868, I find *for that quarter*,—

Recruit Drills—	Oct. 4.	Nov. 0.	Dec. 4.	} Total, 3.
Oct.,	1 c.g.			
Nov.,	Nil.			
Dec.,	1 inspection; 1 shot practice			

As far, then, as *this quarter* is concerned there is a discrepancy of 1 gun drill in October.

He was not efficient for 1868.

1869.

He is not in the "annual" for 1869, as he appears to have resigned and to have been struck off in Sept. quarter 1869. His name does not appear in the December quarter's returns.

The following is his analysis for 1869, from the quarterly returns, and agrees with that taken from Lieut. Talbot's copies, with an exception (for which see the sequel):—

March qr.,	Jan.,	1 comp. g.g.	} 3
	Feb.,	1 com. off	
	March,	1 comp. f.g.	
June qr.;	April,	1 g., 1 com. off	} 3
	May,	1 com. off	
	June,	Nil.	

Sept. qr.—"Resigned" marked across July columns, and in the margin "*Resigned—arms not returned*," which were attempted to be obliterated, but ineffectually.

The lower part of the third page is torn across, taking out the names of those persons who had left during the quarter; but on turning to Lieut. Talbot's copy, I find that two names had been returned, viz.,—Richards and Cunningham. I can only therefore come to the conclusion that the tearing of the third page was *intentional*, especially as I find that the following drills have been *interpolated* in the Sept. quarter's returns, 3 in July, 2 in August (including shot practice, the records for which do not show his name), and 4 in September, total 9, which total, however, has not been inserted in the proper column. If these drills were included in the additions the *whole of the columns* in which they are placed would be in error, and the total would be wrong by 9.

I can only conclude therefore that this return has been tampered with for the purpose of securing a certificate of efficiency for 1869 for Gunner Cunningham.

The alteration is very palpable.

This quarter bears the signature of Wm. Deane, Captain.

I have, &c.,

M. W. S. CLARKE, Major,
President of the Court.

10/4/74.

Major Clarke to Lieut.-Colonel Richardson.

Sir,

Sydney, 10 April, 1874.

I HAVE the honor of enclosing herewith an analysis into the Parades and Drills recorded in favor of Corporal William Anderson, of No. 2 Battery (now Lieutenant Anderson), for the year 1869.

In this case it is apparent that the returns have been altered after having been sent in, and that an attempt has been made to tamper with the *copies* of the quarterlies in possession of some one in No. 2 Battery. Unless the original quarterlies (together with the Annual), were in charge of some one outside the Brigade Office, the analysis proves that some collusion exists. You will perceive that the alterations have been made so as not to attract immediate notice, and that the alterations in the "Annual," which would have corresponded with the alterations in the quarterlies, could not be altered so as to agree with them without alterations in the *figures* which must have led to immediate detection.

However,

Major Clarke to Lieut.-Colonel Richardson.

Sir,

Sydney, 10 April, 1874.

I HAVE the honor of handing in an analysis of drills and parades assigned to Gunner George Withers, of No. 2 Battery, as his name was mentioned in the evidence given by Gunner Campbell, of No. 2 Battery, as one who had received his land order on false grounds.

I consider it my duty to report the same, pending the termination of the Inquiry into the matters connected with the issue of a land order to Gunner Pugh of the same battery.

The "Annual" is wrong, though, perhaps, merely in a clerical way.

I have, &c.,

M. W. S. CLARKE, Major,
President of the Court.

GUNNER WITHERS, No. 2 Battery.

Year.	No.	Rank and Names.	Battalion Parades for Quarter ending.				Parades of the Corps for Quarter ending.				Gun Drill.												Shot Practice during Quarter ending.		Official Inspection Dates.		Musketry Instruction.	Total Parades and Drills.	Classed as efficient, 1. Jan.			
			31 Mar.	30 June.	30 Sept.	31 Dec.	31 Mar.	30 June.	30 Sept.	31 Dec.	Jan.	Feb.	March.	April.	May.	June.	July.	August.	Sept.	October.	Nov.	Dec.	Total.		5 Dec.							
1868	55	Withers, Gunner	1	...	1	1	...	1	1	...	...	...	...	...	1	1	...	1	1	...	...	...	...	...	1	...	1	?	11			Recruit
1869	71	George Withers	1 fg.	1 b.	(1 b.) *		1 fg. 1 c.		** (2 c.)					1	2	3	3	1								1	1	0	17			

QUARTERLY RETURNS (which agree with copies in Lieutenant Talbot's possession.)

1869.		1869.		1869.		Dec.-Nil.	} Total 17.
Mar.-January, Nil.	} 3	June-April, 1 gg, 1 com off.	} 8	Sep.-July, 3 g, 1 c.	} 6		
Feb., 1 c.		May, 2 gg.		Aug., 1 g, 1 s. p.			
March, 1 c. fg., 1 com. off. fg.		June, 3 g, 1 insp.		Sept.			

By the above analysis the following errors are discovered in the Annual for 1869 :-

Battalion Parades for September (instead of 1) Nil. }
Company " " " (instead of 2) 1. } The total 17 agreeing with the quarterly.

From the above it is apparent that Withers was not an efficient for 1868 nor for 1869.

His name does not appear in the Musketry Return for 1869.

His absence from drills and parades for December quarter is noticeable, and he should have had 24 drills for the Year 1869, besides Musketry, unless his attendance for 1868 has been added to that of 1869 for 1869 efficiency.

The above analysis will give

	By Quarterly.	By Annual.	
Battalion	2	3	
Company	3	4	
Gun drills	10	10	
Inspection	1	1	
Shot-practice	1	1	
	17	19	The total in Annual shows 17 only. Falsified, 1868.

M. W. S. CLARKE, Major,
President, Court of Inquiry.

10/4/74.

Major Clarke to Lieut.-Colonel Richardson.

Sydney, 10 April, 1874.

Sir,

I HAVE the honor of enclosing herewith—

1. Record of attendances No. 2 Battery, for the year 1869.
- *2. Copy of Lieut. Talbot's copy for "Annual" for 1868. (* Previously left.)
3. Musketry Return for 1869.
4. Quarterly Returns—December, 1868.
5. " " March, 1869.
6. " " June, 1869.
7. " " September, 1869.
8. " " December, 1869.
9. Shot practice mark "A"—29th August (altered in pencil on first page to 12th September, and which must be an error if not purposely done), 19th September, 17th October, 14th November, 12th and 19th December, 1868; 20th February, 27th February, 1869.
10. Shot practice mark "B"—pages 1 to 43 (both inclusive), filled up (office copy); pages 44 to 51 (both inclusive), not filled up, 1869; 8th March to 17th September, 1870.
11. Shot practice marked "C"—Battery Report, 8th March to 11th December, 1869; pages 1-33 filled up, rest blank except page 34 in pencil.
12. Shot practice marked "D" in pencil—27th October, pages 1-25 (inclusive); rest blank.
13. Shot practice marked "E"—24th May, 1871; not filled up.

I have, &c.,

M. W. S. CLARKE, Major,
President, Court of Inquiry, Anderson, M'Garvey, re Pugh.

Major

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Major Clarke to Lieut.-Colonel Richardson.

Sir,

Sydney, 10 April, 1874.

HEREWITH I have the honor of enclosing—

1. Letter detailing papers, &c., returned to you.
2. Letter and analysis—Wm. Anderson.
3. do. Wm. Furness.
4. do. Geo. Withers.
5. do. Cunningham.
6. Letter concerning statements made by Gunner Campbell, of No. 2 Battery, with respect to issue of certificates to Noble, Clark, and Matchett (staff).

I have, &c.,

M. W. S. CLARKE, Major,
President of Court of Inquiry.

Major Clarke to Lieut.-Colonel Richardson.

Sir,

Sydney, 10 April, 1874.

I DEEM it my duty to bring under your notice that Gunner Campbell, of No. 2 Battery, stated on oath before the Court that Sergeant Matchett, of the Staff, and Quartermaster-Sergeant Noble, of No. 2 Battery, had obtained their Land Grants though not entitled to them.

Noble joined No. 2 Battery in the March quarter of 1869 (on the 8th March) according to the quarterly returns of that year.

I have no means of determining the truth of this statement; I therefore leave it in your hands.

I have, &c.,

M. W. CLARKE, Major,
President of Court of Inquiry in Pugh's case.

No. 7.

The Principal Under Secretary to Lieut.-Colonel Richardson.

Sir,

Colonial Secretary's Office, Sydney, 14 September, 1874.

WITH reference to your letter of the 13th ultimo, forwarding to His Excellency the Governor the proceedings of the Court of Inquiry appointed to investigate and report upon the conduct of Lieutenant Anderson, of No. 2 Battery of Volunteer Artillery, and Sergeant-major M'Garvey of the Permanent Staff, in connection with the issue of a certificate for a grant of land to Gunner Pugh, of No. 2 Battery, I am directed by the Colonial Secretary to state for your information and guidance, that *His Excellency, with the advice of the Executive Council, has been pleased to direct that Lieutenant Anderson's Commission be cancelled and that his name be removed from the Roll of the Volunteer Force.*

2. A notice of the cancellation of Lieutenant Anderson's Commission will be published in the next issue of the *Government Gazette*.

3. The minutes of proceedings and other documents which accompanied your letter of the 13th ultimo are returned herewith.

I have, &c.,

HENRY HALLORAN.

No. 8.

Brigade Order, No. 122.

Brigade Office, Sydney, 20 July, 1874.

SERGEANT-MAJOR M'Garvey has this day been discharged from the Permanent Staff of the Volunteer Force for misconduct, in accordance with para. 52 of the Volunteer Regulations.

By command,

W. B. B. CHRISTIE, Captain,
Major of Brigade.

No. 9.

Brigade Order,

Brigade Office, Sydney, 15 September, 1874.

HIS Excellency the Governor, with the advice of the Executive Council, has been pleased to direct that the Commission of Lieutenant Anderson, No. 2 Battery Volunteer Artillery Brigade, be cancelled, and that his name be removed from the Roll of the Volunteer Force.

The Officer Commanding Volunteer Artillery Brigade will be pleased to communicate the above decision to Lieutenant Anderson, and further to direct the Officer Commanding No. 2 Battery to remove his name from the Roll.

By command,

W. B. B. CHRISTIE, Captain,
Major of Brigade.

No. 9.

CORRESPONDENCE BETWEEN COMMANDANT AND MAJOR SHEPHERD REGARDING MR. BAMFORD'S STATEMENT.

No. 1.

LIEUT.-COLONEL RICHARDSON TO HIS EXCELLENCY THE GOVERNOR.

YOUR EXCELLENCY, Brigade Office, Sydney, 17 March, 1874.
 MAJOR Shepherd, Commanding Volunteer Artillery Brigade, having requested that his denial of certain conduct ascribed to him by Mr. Bamford (late of that Brigade), as quoted in Captain Hopkins's memorandum, as also Mr. Bamford's denial of the truth of said memorandum, should be conveyed to your Excellency, I have the honor therefore to submit the correspondence with reference thereto.

The matter calling for the production of the memorandum in question, is contained on page 15. My reasons for affixing the same, together with memorandum itself, on page 20, printed "Correspondence respecting Captain Bamford's case."

His Excellency the Earl of Belmore's letter will be found on page 11 of printed correspondence respecting Captain Bamford and "Prince Alfred's Own Battery."

I have, &c.,
 JOHN S. RICHARDSON, Lt.-Col.,
 Commandant.

Letter from Major Shepherd with minutes thereon—2/3/74; letter from Major Shepherd—11/3/74; and letter to Major Shepherd—17/3/74. Read and returned.—H.R., 18/3/74.

No. 2.

Major Shepherd to Captain Bamford.

Sir, Volunteer Artillery Office, Sydney, 2 March, 1874.
 MY attention having just been drawn to a paragraph in a printed paper moved for by Mr. Tunks in the House of Assembly, wherein it is stated that in a conversation with Colonel Richardson you expressed regret at having taken any advice from me on some subject connected with Volunteer matters, I demand of you an explanation as to what advice you refer to, being unaware of ever having given you any.

I desire an immediate reply, as my position in the Volunteer Force precludes the possibility of such assertions being permitted to pass unnoticed, and I shall feel bound to take steps to protect myself against any insinuations which may have been made to my prejudice in so clandestine a manner.

I have, &c.,
 P. L. C. SHEPHERD, Major,
 Com. Vol. Artillery.

I assure you upon my word of honor there is *not a particle of truth* in the paragraph to which you allude—kindly accept this curt explanation for the *present*, as I trust an opportunity will offer of the whole conversation being thoroughly sifted, and its fallacy exposed.—J.B.B., 3/3/74.

Considering Captain Bamford's absolute denial of the truth of the paragraph in question, I will be glad if the Commandant will for my satisfaction be kind enough to explain the circumstances at his earliest convenience with a view to my future action.—P.L.C.S., Major, Com. V.A., 3/3/74.

I cannot at this moment call to mind the circumstances, but I do affirm as to the truth of the memorandum. After the interview in question I directed Capt. Hopkins to note what had taken place; he did so, and submitted the memorandum in question for my perusal, and I then concurred in its correctness.—J.S.R., Lt.-Col., Commandant, 6/3/74.

No. 3.

Major Shepherd to Lieut.-Colonel Richardson.

Sir, Volunteer Artillery Office, Sydney, 11 March, 1874.
 I HAVE the honor in reference to your memo. 6/3/74, on my letter of 2nd instant, referring to certain notes of a conversation in Captain Bamford's Parliamentary papers, to point out the great injustice your action in this matter has inflicted upon me.

You affirm the correctness of the notes, and notwithstanding that the conversation was professedly a private and confidential one, you render it in fact a public one by directing that it be taken down in writing by an official. I emphatically deny that I ever advised Captain Bamford to write you insubordinate letters, or to refuse to give you that support to which you were entitled from all Officers under your command, as the notes imply. Thus an untruthful and slanderous statement not only goes before His Excellency the Commander-in-Chief, uncontradicted, and apparently an admitted fact, possibly to my great injury; but now comes before the public in the same light, whereas, as soon as it was uttered, I think from my position in the service I ought at once to have been called on to account for such unbecoming conduct, and to have had an opportunity afforded me of refuting so grave a charge, or have put up with the just consequences, rather than this so-called confidential conversation should have been circulated, its very existence being unknown to me, till it became public property. Under these circumstances, I have now in justice to myself to request you will inform His Excellency that until these notes were published I was not aware so grave a charge had been made against me, and that I now deny ever having given Captain Bamford the alleged advice—also, that Captain Bamford has distinctly denied the truthfulness of the notes in question.

I have, &c.,
 P. L. C. SHEPHERD, Major,
 Com. Vol. Artillery.

No. 4.

No. 4.

Brigade Major to Major Shepherd.

Sir,

Brigade Office, Sydney, 17 March, 1874.

I AM directed by the Commandant to inform you that in consequence of indisposition he has been unable until now to give a reply to your letter of the 11th instant (No. 162), and also to express to you his regret that any action on his part should have been calculated to do you an injustice, and to assure you that in affixing the memorandum in question to the correspondence in Captain Bamford's case, he intended merely to protect himself against the innuendo contained in that officer's defence and as specified in lines 75* to 82 inclusive.

The fact of a Staff officer noting the heads of a conversation between a Commanding Officer and his subordinates is by no means unusual, should there be anything connected with the case appearing to render such a course desirable.

The Commandant cannot but attribute the publicity given to the document in question to the action of Mr. Bamford or his friends in moving the Legislative Assembly to call for the production of papers rather than to any action of his own.

The Commandant does not hold himself responsible for the strict accuracy of Mr. Bamford's expressions, at the same time he considered that your failing to check the insubordinate attitude assumed by Mr. Bamford towards himself justified the supposition that you supported Mr. Bamford in his action, which view was endorsed by His Excellency the Earl of Belmore in letter dated 19th January, 1872 (vide page 11, printed correspondence respecting Captain Bamford).

The correspondence in this case has been forwarded to His Excellency the Governor in order that the request contained in the last paragraph of your letter may be complied with.

I have, &c.,

W. B. B. CHRISTIE, Capt., Major of Brigade.

No. 5.

27. Captain Bamford, on page 20 of his defence, states that some conduct, or words of mine, at an interview held with him in the year 1871, in presence of Captain Hopkins, Brigade Adjutant, Volunteer Artillery Brigade, would absolve him from the second charge. This (on perusing a memo. taken immediately after the interview by Captain Hopkins, and in his handwriting, annexed) I conclude means I gave him then a latitude of speech which I refuse him now. I fail to see how an interview of 1871 can in such a case influence decisions in 1873, and further, I do not admit that the conversation which took place at the interview in question can bear the construction which Captain Bamford has attempted to put on it.

I have, &c.,

JOHN S. RICHARDSON, Lt.-Col., Commandant.

No. 6.

Notes of a conversation held between the Commandant and Mr. Bamford, P.A.O. Battery, 14 Sept., 1871. THE Commandant considered the tone of Mr. Bamford's letters insubordinate, and consequently deficient of that spirit which should actuate officers of the Volunteer Force, and that he expected that support to which he was entitled from all officers under his command.

If Mr. Bamford was prepared to act in accordance with his views, the usual examination for a lieutenancy might be waived, and he (Mr. Bamford) might at once be examined for a captaincy, otherwise he must be prepared to undergo a probation as a subaltern officer.

The Commandant also pointed out, that although he expected due support from the officers, they were at liberty to appeal to proper authority in case they had any grievance.

The cases of Captain Wells and MacDonald having been quoted, it was pointed out that these gentlemen were appointed under special circumstances—the first of these officers holding a commission at the time in the Force, and well known as a good officer; the second having formerly been in the Force, and known to, and favourably brought to notice by, Major Shepherd, upon whose sole recommendation he was appointed.

Mr. Bamford, in the course of this conversation expressed his regret that he had listened to the advice of Major Shepherd and Captain Deane, as by what he had heard and read he could see that they were both in the wrong.

The Commandant requested that this conversation might be considered as private and confidential, to which Mr. Bamford assented, and also, as I considered, concurred in the remarks made.

S. HOPKINS, 15/9/71.

No. 7.

His Excellency the Governor to Lieut.-Colonel Richardson.

Sir,

Government House, Sydney, 19 January, 1872.

REFERRING to my letter of yesterday, in reply to yours of 19th December, 1871, in which you forwarded certain correspondence from Captain Bamford, of the "Prince Alfred's Own," Volunteer Artillery, I think there are some points in connection with that correspondence which it would not be proper for me to pass by unnoticed.

I have to express my regret at the tone and style of some passages in Captain Bamford's letter, which I consider to be of an insubordinate character. Major Shepherd, moreover, so far from remonstrating with Captain Bamford, and suggesting to him the propriety of couching his letters in terms more consistent with military discipline, not only forwards them (as it appears) without remonstrance, but in his letter of the 4th December formally expresses dissatisfaction with the decision of his own superior officer.

I have no doubt that both these officers have acted in ignorance of their duty; but not the less I cannot allow the matter to pass unnoticed. I have had on a former occasion to remark on Major Shepherd's ideas of what is consistent with military discipline, and I must now regret that he has obliged me to express dissatisfaction with his conduct with regard to a matter of discipline, resting not with himself, nor even in the last resort with the Commandant, but with the Commander-in-Chief.

In conclusion, I must further state my opinion that it is highly objectionable that Messrs. Wearne and Davies's letters to Major Shepherd should have been introduced into this official correspondence.

I have, &c.,

BELMORE,
Governor and Commander-in-Chief.

No. 10.—Captain Spalding's appointment as Adjutant, V.A.B.

[Same papers ordered on motion of Mr. Piddington.]

No. 11.

STAFF APPOINTMENTS.

No. 1.

Captain Phillips and others to Major Raymond.

Sir, 1st Sydney Battalion Volunteer Rifles Office, Elizabeth-street, 17 February, 1873.

WE, the undersigned, officers commanding companies in the Sydney Battalion, have the honor to request that you will obtain permission from the Commandant for the holding of a meeting of officers of the Volunteer Force for the purpose of considering the propriety of addressing to the Commandant a respectful expression of their views on the subject of promotions generally, and more especially as to future appointments to the Staff.

We have, &c.,

GERARD PHILLIPS, Capt., No. 6.
 W. T. FARRELL, Capt., No. 3.
 C. A. WILSON, Capt., No. 2.
 A. O. MORIARTY, Capt., No. 5.
 W. WILKINS, Capt. No. 7.
 S. DICKSON, Lieut. Comg. No. 8.
 JOHN COOPER, Lieut. Comg. No. 1 Co.

Forwarded to Major Richards as ordered by him as senior officer present.—W. CHATFIELD, Capt., Adj., 1st Syd. Bat., V.R.

I regret that Capt. Chatfield should have detained this letter until to-day (the 24th instant), as the officers had expressly desired me, in Major Raymond's absence, to forward it to the Commandant. I am not now in command, and I therefore return the letter to the Adjutant in order that he may submit it to the Major Commanding.—THOS. RICHARDS, Major.

This letter was received and opened by me on the 20th, and put on one side with other letters for the officer commanding the battalion. On the evening of the same day Major Richards asked me about the letter, and ordered me, "as commanding the battalion," to forward it to him; I did so the next morning; unfortunately I omitted to date my memo. Major Raymond returned on Saturday, the 22nd, and had this letter not have been forwarded, it would have been with the other papers for his perusal.—W.C., Capt., Adj., 25/2/73.

Forwarded to Commandant as requested.—R.P.R., Major, Comg. 1st Syd. Bat., V.R., 26/2/73.

No. 2.

Acting Major of Brigade to Major Raymond.

Sir, Brigade Office, Sydney, 1 March, 1873.

Capt. G. Phillips.
 " Farrell.
 " Wilson.
 " Moriarty.
 " Wilkins.
 Lieut. Dickson.
 " Cooper.

WITH reference to the application from the gentlemen named in the margin, of the 17th ultimo, forwarded by you, for permission to hold a meeting of officers of the Volunteer Force, for the purpose of expressing their views on the subject of promotions generally, and more especially as to future appointments to the Staff,—

I have the honor to request you will be pleased to acquaint the gentlemen that the Commandant sanctions the proposed meeting, but at the same time he deems it desirable to draw attention to a memorial forwarded by certain officers to His Excellency the late Governor the Earl of Belmore, in October, 1871, petitioning "that all future appointments to the Volunteer Staff might be made from the officers of the Volunteer Force," to which His Excellency replied that "it would be highly inconvenient to lay down a rule such as proposed."

Colonel Richardson is therefore of opinion that nothing should be done at the meeting calculated to call the decision of His Excellency into question.

I have, &c.,

THOS. BAYNES, Captain,
 Act. Major of Brigade.

Acting Major of Brigade to Major Raymond.

Sir, Brigade Office, Sydney, 11 March, 1873.

WITH reference to my letter of the 1st instant, conveying the sanction of the Commandant for a meeting of officers of the Volunteer Force, for the purpose of expressing their views on the subject of promotions, &c., I am directed to request you will be pleased to draw the attention of the officers therein named to the latter part of clause 9 of the Volunteer Act, and to desire the provisions thereof be duly observed.

I have, &c.,

THOS. BAYNES, Capt.,
 Act. Major of Brigade.

No. 3.

No. 3.

Major Richards to Major Raymond.

Sir,

Sydney, 28 March, 1873.

I DO myself the honor to forward herewith, for transmission to the Commandant, a summary of the proceedings of, and the resolutions adopted at, a meeting of Volunteer officers, held on the 13th March last, "for the purpose of expressing their views on the subject of promotions generally, and more especially with reference to future appointments to the Staff."

I also return letters signed by Captain Baynes, Acting Brigade Major, dated respectively 1st March and 11th March instant, conveying to you the sanction of the Commandant for the holding of the meeting, and drawing your attention to clause 9 of the Volunteer Act.

I have, &c.,

THOS. RICHARDS, Major,
Chairman of the Meeting.

Forwarded to the Commandant as requested.—R. PEEL RAYMOND, Major, Comg. 1st Sydney Bat. Vol. Rifles, 31/3/73.

SUMMARY of the proceedings of a meeting of Volunteer officers, held under the sanction of the Commandant, on 13th March, 1873, "for the purpose of expressing their views on the subject of promotions generally, and more especially with reference to future appointments to the Staff.

PRESENT :—

Major Richards; Captains Phillips, No. 6, Weekes, Farrell, Bamford, Fahey, Wells, and Wilson; Lieutenants Nixon, Longfield, Cavanough, Johnston, Morris, Houston, Simpson, Talbot, Rowe, Cooper, Field, and Ferguson; Ensign Cranna.

Major Richards, being the senior officer present, took the chair.

Captain Phillips, No. 6 Co. S. B. V. R., moved the adoption of the following resolutions, namely :—

- 1st. That in the opinion of this meeting it would be advisable for the future well-being of the Volunteer Force, that all future appointments to commissions, and further promotions beyond the rank of captain, should be by competitive examination and not by election and seniority, as at present; that is to say, candidates for a commission in a battery or company shall undergo a competitive examination before a Board to be appointed from time to time by the Commandant, and the candidate who shall pass the most meritorious examination, and being otherwise qualified, shall be appointed.
- 2nd. After the first appointment to a commission, promotions shall go by seniority, as at present, up to and inclusive of the rank of captain. Officers so promoted passing the usual examination as to fitness.
- 3rd. Appointments to the regimental staff of battalions of a higher grade than captains shall be made from the captains of the respective battalions who shall be invited to compete for the promotion, and if there be more than one candidate, they shall undergo a competitive examination of a nature to be ordered by the Commandant, both theoretical and practical, before a Board constituted as before-mentioned. The best man then to get the promotion.
- 4th. Officers of the Volunteer Force shall be considered eligible, and moreover should be encouraged to qualify themselves and become candidates for appointments on the Permanent Staff, and when a vacancy or vacancies shall occur therein of a less rank than the Commandant (and to which no member of the Permanent Staff is entitled as a matter of promotion) such vacancy shall be filled up in order of seniority by an officer of the Volunteer or Permanent Artillery Forces, or an officer of the Imperial Army, after a rigid test examination as to his fitness before a Board of which some portion at least shall consist of Volunteer officers.
- 5th. That the officers now present respectfully request that the Commandant will forward this expression of their views to His Excellency the Governor and Commander-in-Chief.

It was resolved that these Resolutions be printed and circulated amongst officers, with the view to their being considered at an adjourned meeting to be held at the "Oxford Hotel," on Friday, the 21st March, 1873.

Friday, 21st March, 1873.

Meeting assembled pursuant to adjournment.

PRESENT :—

MAJORS Shepherd, Wilson, and Richards; Captains G. Phillips, Farrell, Bamford, Fahey, Wells, Wilson, H. Phillips, Deane, and Wilkins; Lieutenant Morris, Field, Dickson, Tooth, Talbot, Nixon, Houston, and Cavanough; Ensigns Burnett, Stack, Cranna, and M'Cutcheon.

Major Richards (by request of the meeting) took the chair.

The resolutions submitted by Captain G. Phillips at the previous meeting were taken into consideration.

It was moved by Ensign M'Cutcheon, and seconded by Captain Wilson, that the following Resolution be adopted in lieu of No. 1 of the printed series, as proposed by Captain Phillips :—

- 1st. That there should be periodically appointed a Board of Examiners for the purpose of examining Volunteers who are desirous of qualifying themselves for commissions, and that in the event of any vacancy occurring in any company, battery, consolidated corps, or consolidated battalion, the members should proceed to elect one of their number who has previously passed such an examination, and recommend such person for appointment.

The amendment was carried on division of 13 to 11.

The

The following resolution, No. 2, as proposed by Captain Phillips was carried on a division of 15 to 9:—
2nd. That after the first appointment to a commission, promotion should go by seniority, as at present, up to and inclusive of the rank of captain. Officers so promoted passing both a theoretical and practical examination as to fitness.

It was moved by Major Shepherd, and seconded by Captain Bamford, that the following resolution be substituted for No. 3 of the printed series as proposed by Captain Phillips:—

3rd. That appointments to the regimental staffs on any brigade or battalion of a higher grade than captain should be made by election by the captains in the brigade or battalion in which such appointments are to be made.

Carried on division of 13 to 12. (Chairman's vote being included in the Noes).

It was moved by Captain Wilkins and seconded by Captain Wells that the following resolution stand as No. 4:—

4th. That it is most desirable that the regimental staffs of rifle battalions and artillery brigades should be completed without delay, by the appointment of lieutenant-colonels and other regimental staff officers in accordance with the establishment as provided by the Regulations under the Volunteer Act.

Carried unanimously.

It was moved by Captain Wilkins, and seconded by Lieutenant Longfield, that the following Resolution be adopted in lieu of No. 4 of the printed series as proposed by Captain Phillips.

5th. That Officers of the Volunteer Force should be considered eligible, and moreover, should be encouraged to qualify themselves and become candidates for appointments on the Permanent Staff. Provided they pass a rigid test examination as to their fitness before a Board of which some portion at least should consist of Volunteer Officers.

Carried without division.

The following Resolution was then put and carried, viz.:—

That the Officers now present, respectfully request that the Commandant will forward the foregoing Resolutions to His Excellency the Governor and Commander-in-Chief.

THOS. RICHARDS, Major,
Chairman of the Meeting.

No. 4.

LIEUT.-COLONEL RICHARDSON to HIS EXCELLENCY THE GOVERNOR.

Your Excellency,

Brigade Office, Sydney, 19 April, 1873.

I HAVE the honor, by request of certain officers of the Volunteer Force, to submit a series of amended resolutions, passed by them at a general meeting of the officers of the Head Quarters Force.

In forwarding these resolutions I beg to offer a few remarks thereon for your Excellency's consideration.

Resolution No. 1 appears desirable, and might be carried out.

Resolution No. 2 is in accordance with the present system, except as regards Field Officers, who are promoted by seniority.

Resolution No. 3 would most probably secure the promotion of the best officers.

Resolution No. 4 has already been submitted.

Resolution No. 5 may be unobjectionable, provided your Excellency's prerogative, as laid down in clause 7, Volunteer Act, is untouched, and that the expediency or otherwise of examination in any particular case is judged by yourself. Such expediency might occur when any doubt existed as to choice of candidates, &c.; provided however that other qualifications which cannot be comprehended by the bare examinations are not overlooked.

Considering that Volunteer officers have no opportunity of becoming practically conversant with many of the subjects which should form a portion of the examination of Staff officers, I think their presence on the Board undesirable.

In conclusion, and with reference to the last quoted resolution, I would respectfully draw your Excellency's attention to the fact that I have experienced very great inconvenience in the want of a Brigade Major, and would suggest that should any difficulty exist as to the selection of a gentleman for this appointment that, in accordance with the desire of the Volunteer officers, as embodied in that resolution, three or four of the most apparently eligible applicants may be invited to undergo a competitive examination.

I have, &c.,

J. S. RICHARDSON, Lt.-Col.,
Commandant.

No. 5.

HIS EXCELLENCY THE GOVERNOR to LIEUT.-COLONEL RICHARDSON.

Sir,

Government House, Sydney, 8 May, 1873.

IN reply to your letter of the 19th ultimo, I have the honor to inform you that I approve of the Regulations proposed in Resolutions Nos. 1, 2, and 3; which accompanied your letter, with the exception of the words, "consolidated corps or consolidated battalion," in the first resolution, which appear inadmissible in the present state of the law.

As regards the 4th Resolution, I think it desirable to postpone coming to any decision as to the appointment of lieutenant colonels, until the subject has received further consideration.

With reference to the 5th resolution, I apprehend that it has already been shown by one of the existing appointments, that officers of the Volunteer Force are considered eligible for appointments on the Permanent Staff; but I do not consider it desirable to concur formally in a Resolution which might seem by implication to prescribe or limit the exercise of the authority vested in the Governor by the 7th clause of the Volunteer Act.

I have, &c.,

HERCULES ROBINSON.

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No. 12.

MR. DEANE'S APPLICATION FOR APPOINTMENT AS QUARTER-MASTER, VOLUNTEER ARTILLERY BRIGADE.

No. 1.

Wm. Deane, Esq., to The Colonial Secretary.

Sir, 63, Elizabeth-street, 21 July, 1874.
I HAVE the honor to apply for the appointment of Quarter-master to the Volunteer Artillery (to which no salary is attached) which I understand is now available.

WM. DEANE.

The Commandant, B.C., 23 July, /74, for the U.S. W.G. Noted, 24/7/74. Referred to Officer Commanding Vol. Art. Brigade.—J.S.R., Lt.-Col., Commdt., 24/7/74. Recommended, P.L.S., Major, Com. V.A.B.

No. 2.

Lieut.-Col. Richardson to The Colonial Secretary.

Sir, Brigade Office, Sydney, 27 July, 1874.
I HAVE the honor to return herewith the letter from Mr. Deane, late Captain No. 2 Battery, applying for appointment as Quarter-master to the Volunteer Artillery Brigade, forwarded to me by your blank cover minute of the 23rd instant.

I have, &c.,
JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

No. 13.

POSITION ASSIGNED VOLUNTEER ARTILLERY BRIGADE,
QUEEN'S BIRTHDAY PARADE.

No. 1.

No. 77.
Brigade Order.

Brigade Office, Sydney, 19 May, 1875.

1. Monday next, the 24th instant, being the anniversary of Her Majesty's Birthday, the whole of the Permanent and Volunteer Military Forces at Head Quarters, and such of the Country Corps as can be conveyed by rail, will parade in Review order (full dress), and be formed up in line of quarter columns facing east, with 12 paces interval, in Moore Park, at 11 a.m. on that date, in the following order, for Review by His Excellency the Governor, in celebration of the event:—

Artillery, Nos. 1 and 2 Batteries, formed into one Battery, with six field guns and-horses.

1st Regiment, Volunteer Rifles.

Artillery, with carbines.

Engineers.

3rd Regiment, Volunteer Rifles.

2nd Regiment, do.

Naval Brigade, with carbines.

Do. with field guns.

N.S.W. Artillery, do.

The Volunteer Artillery Brigade, in conjunction with the Naval Brigade and the New South Wales Artillery, will fire a royal salute from the field guns, and the remaining forces a *feu-de-joie*.

The Volunteer Corps in the Southern and Northern Districts and the Mudgee Corps will fire a *feu-de-joie* on their private parades.

The necessary blank ammunition will be issued.

Officers commanding Regiments at the Review will hand to the Major of Brigade on parade correct Field States, from which a General State will be prepared for His Excellency the Governor.

While

While the Brigade is in line the several bands will be formed in rear of the centre of their respective Corps, the Volunteer Brigade Band in rear of the 1st Regiment of Rifles, and will be massed, forming on the Volunteer Brigade Band, when the Brigade is preparing to march past.

The 3rd Regiment (Western Battalion) will parade on the reserve at the Haymarket in sufficient time to admit of their being formed up with the Brigade at the hour indicated. The officer commanding this Battalion will issue his own orders as to the particulars for parade at the Haymarket.

By command,

W. B. B. CHRISTIE, Captain,
Major of Brigade.

No. 2.

Major Shepherd to Lieut.-Colonel Richardson.

Sir,

Volunteer Artillery Office, Sydney, 21 May, 1875.

I HAVE the honor to call your attention to Brigade Order of 19th instant, in which you assign the Artillery a position on the left of the 1st Regt., Vol. Rifles. May I be permitted to inquire the cause of this departure from the usual practice observed on such occasions, as I claim for the Artillery their proper position, viz., the right of the line.

I have, &c.,

P. L. C. SHEPHERD, Major,
Com. Vol. Artillery.

No. 3.

Acting Major of Brigade to Major Shepherd.

Sir,

Brigade Office, Sydney, 22 May, 1875.

I HAVE the honor by direction to acknowledge the receipt of your letter of the 21st instant, inquiring why the position usually accorded to the Garrison Batteries of the Volunteer Artillery is to be changed on the 24th, and further, claiming for those Batteries the position on the right of the line.

In reply, the Commandant desires me to observe that he does not admit the right of a subordinate to be furnished with the reasons of any order he may see fit to issue; still, to avoid any misconception on the part of yourself and the Force under your command, I am to inform you that the object of placing the 1st Regiment, Volunteer Rifles, next in order to the Field Batteries, Volunteer Artillery, and at the head of the infantry column, is to ensure a more minute observance of the points of the alignment, and consequently increased steadiness in the march past than has hitherto been the case.

It is almost needless to remark that the success of the march past depends upon the leading battalion, and therefore, in placing at the head of the column a regiment more practised in infantry drill and manœuvre than an Artillery Corps is expected to be, the Commandant has best studied the interests of the whole Force on this particular occasion.

With reference to your "claim" to any special position on parade, I am to point out that the custom of the Imperial Service vests the Commanding Officer with the distribution and formation of parades in such way as he may deem most convenient and best adapted to the purposes of the Service.

Under the above circumstances the Brigade Order in question will be adhered to.

I have, &c.,

THOS. BAYNES, Major,
pro Major of Brigade.

No. 4.

Extract from the Queen's Regulations.

Precedence and Distinctions of Corps.—Section 1.

3. On parade, for purpose of manœuvring, Corps are to be distributed and drawn up in the mode which the General, or other Officer Commanding, may judge most convenient and best adapted to the purposes of the Service, &c., &c.

Formation on
parade.

No. 14.

CORPORAL LEES' CASE.

No. 1.

No. 24. On motion of Mr. Driver, Wednesday, 1st April, 1874, Votes No. 106.

THE SPEAKER OF THE LEGISLATIVE ASSEMBLY TO HIS EXCELLENCY THE GOVERNOR.

To His Excellency SIR HERCULES GEORGE ROBERT ROBINSON, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of New South Wales and its Dependencies, and Vice-Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY:—

We, Her Majesty's loyal and dutiful subjects, the Members of the Legislative Assembly of New South Wales, in Parliament assembled, pray that your Excellency will be pleased to cause to be laid upon the Table of this House:—

Lance-Corporal Lees.

Copies of all charges, reports, correspondence, minutes, evidence, judgments, decisions, and all other documents and papers in the possession of His Excellency, or the Government, or the Volunteer authorities, having reference to or connected with the imprisonment and suspension from duty of Lance-Corporal Lees, of No. 1 Company, Sydney Battalion, Volunteer Rifles, at the Ham Common Encampment, in April last.

Legislative Assembly Chambers,
Sydney, 1st April, 1874.

W. M. ARNOLD,
Speaker.

Commandant.—2 April, 1874.

Presented, 10/4/74.—H.R.

Request the information without further delay.—15 May.

Commandant.—15 May, 1874.

The correspondence in this case was submitted for the House on 28th May, and again on 4th November, 1874, but was not laid on the Table.

The Assembly having been dissolved, these may perhaps go to Records.—11/2/75.

No. 2.

The Principal Under Secretary to Lieut.-Colonel Richardson.

Sir, Colonial Secretary's Office, Sydney, 2 April, 1874.

THE following information having been called for by the Legislative Assembly, viz.:—

“Copies of all charges, reports, correspondence, minutes, evidence, judgments, decisions, and all other documents and papers in the possession of His Excellency, or the Government, or the Volunteer authorities, having reference to or connected with the imprisonment and suspension from duty of Lance-Corporal Lees, of No. 1 Company, Sydney Battalion Volunteer Rifles, at the Ham Common Encampment in April last.”—

I am directed by the Colonial Secretary to request that you will furnish me with the required information, in so far as it may be in your power to do so.

I have, &c.,
(For the Under Secretary),
WM. GOODMAN.

No. 3.

The Principal Under Secretary to Lieut.-Colonel Richardson.

Sir, Colonial Secretary's Office, Sydney, 15 May, 1874.

REFERRING to my letter of the 2nd ultimo, asking for certain information called for by the Legislative Assembly respecting the case of Lance-Corporal Lees, I am directed by the Colonial Secretary to request that I may be furnished with the required information without further delay.

I have, &c.,
(For the Under Secretary),
WM. GOODMAN.

No. 4.

Lieut.-Colonel Richardson to The Colonial Secretary.

Sir, Brigade Office, Sydney, 27 May, 1874.

I HAVE the honor to forward herewith, copies of all charges, reports, correspondence, minutes, evidence, judgments, decisions, and all other documents having reference to, or connected with, the suspension from duty of Lance-Corporal Lees, of No. 1 Company, Sydney Battalion, Volunteer Rifles, at the Ham Common Encampment, in April, 1873, pursuant to the directions contained in your letter of the 2nd ultimo.

I have, &c.,
JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

[Enclosures in No. 4.]

RETURN to an Address of the Honorable the Legislative Assembly of New South Wales, dated 1 April, 1874, praying that His Excellency the Governor would be pleased to cause to be laid upon the Table of this House,—

“Copies of all charges, reports, correspondence, minutes, evidence, judgments, decisions, and all other documents and papers, in the possession of His Excellency or the Government, or the Volunteer authorities, having reference to, or connected with the imprisonment and suspension from duty of Lance-Corporal Lees, of No. 1 Company, Sydney Battalion, Volunteer Rifles, at the Ham Common Encampment, in April last.”

Special Report.

The Major of Brigade,—

Camp, 14 April, 1873.

I HAVE to report that Captain Campbell, No. 1 Highlanders, informed me last night, upon his return from visiting the guards, that when approaching the left quarter guard he was not challenged; he asked if he was to be challenged—it being then after dark, about 8 o'clock,—but the guard declined to reply; he thereupon passed on unobstructed without visiting the guard. About 10 o'clock he again went the rounds, and was challenged, and upon his answering "Rounds" he was replied to by the person challenging, and now he states to be Private Lees, of No. 1 Company, Sydney Battalion, that he "should like to know what style of rounds he was," and told to come and give the countersign, upon doing which he was admitted. Upon his leaving the guard they began to laugh in a very insulting manner, in the presence of civilians and others then in camp. Some time afterwards I went with Captain Campbell and two men of No. 1 Highlanders, and visited the guard, and was challenged. I replied "Rounds," and was answered in an insulting manner, in words much the same as those used to Captain Campbell. I asked if I was to be admitted; if not, for the guard to come and take me prisoner, and advanced. The guard met me at the charge, but did not attempt to take me. I therefore went and reported the circumstance to the Commandant, who directed me to go and order the sergeant in charge of the guard to the front and tell him to place Private Lees under arrest. The sergeant was advancing, but spoke to Private Lees and then retired. I again stated that I, at the direction of the Commandant, ordered the sergeant to come to the front, that I might speak to him. He did not obey. Captain Campbell then asked if they refused to obey Major Jaques—that they might know whom I was. He still refused to obey. I then again went to the Commandant, who himself went to the guard, and is aware of what afterwards occurred,—going for the purpose of seeing if I would be insulted in the same manner as Captain Campbell. I was particular in noticing the manner of my being received by the guard.

THEO. J. JAQUES, Major Sub. Battln.,
Field Officer of the Day.

Major Raymond to investigate and report and notify to Major Jaques and Captain Campbell, through the Officer Commanding Suburban Battalion, the time and place he will inquire into this matter. J.S.R., Lt.-Col., 14/3/73, B.C. To be returned.

I have called for the return of this report to append my statement. On the night in question Major Jaques, as Field Officer of the day, reported to me this irregular and insulting behaviour of the guard, as detailed in his report. I then went down and three times called the sergeant of the guard to the front, and he failed to comply with my order. I then went down to the guard and found a portion of it unsteady. I then directed Sergeant Maddocks and Private Lees to be suspended from duty and relieved from the guard.—J.S.R., Lt.-Col., Comdt., 17/4/73.

Sir,

Surveyor General's Office, Sydney, 14 April, 1873.

I BEG most respectfully to be allowed to make a statement with reference to the facts which led to the arrest of Corporal Lees, Corporal of the rear guard, at the encampment, last Sunday night, which I feel it is my duty both to myself and to him to make, and by which I hope to be enabled to show that, through an unlucky coincidence in names, a most unfortunate and painful mistake was made.

When Captain Campbell was challenged by Lees, the left file of the guard, which accompanied Lees, was composed of myself and another man whose name I cannot remember. On Lees returning to repeat the countersign to the sergeant of the guard, both I and my rear rank man, through stupidity on my part, which I can only attribute to being the result of three sleepless nights and overwork, instead of remaining at the charge, left our post and returned to our places in the ranks. Immediately on Captain Campbell leaving the guard, and in his hearing the guard having been dismissed, the men forming it began to laugh and jeer at me for having made such a ridiculous mistake, and Lees said to me something to this effect, still in the hearing of Captain Campbell, "Well, Mr. Campbell, I am astonished that an old soldier like you should have made such a mistake." Captain Campbell has himself since told me that he thought the laughing and jeering alluded to above were applied to him; but I can assure you, sir, that they were applied to and addressed to me alone. I can also say, that as soon as the men had finished their laughing, &c., Lees was saying to me that "he always did and always should respect Captain Campbell," which I can vouch for.

During the whole of the controversy between Major Jaques and Captain Campbell on the one side and Corporal Lees on the other, as to the formality of the answer given by Captain Campbell and Major Jaques to the challenge by Lees, I am bound to say that he throughout spoke in the most respectful and at the same time firm manner.

I do not put these facts before you through any private friendship for Corporal Lees, but simply through a love of justice, and the thought of my being the innocent cause of any man's degradation called upon me to speak out at once.

I have, &c.,
JOHN A. D. CAMPBELL,
Private No. 2 Co., S.B.V.R.

Forwarded to Officer Commanding, for transmission to Commandant, at the request of Private Campbell.—C. A. WILSON, Captn., No. 2 Co. S.B.V.R., 16/4/73. Forwarded, R.P.R., Major, Commanding 1st Syd. Batt. V. R., 16/4/73.

Captain Wilson to Major Jaques.

My dear Major,

April, 18th.

MAJOR Raymond wants to know what day or days next week it will be convenient for you to attend a Court of Inquiry on Sergt. Maddocks and Private Lees. Kindly reply.

Yours faithfully,
JAMES WILSON,
Adjt.
Captain

Thursday, 4.15 p.m., T. J. JAQUES, 19/4/73.

Captain Chatfield to Captain Wells.

Memo.

1st Sydney Battalion Office, 21 April, 1873.

CAPTAIN Wells will be good enough to cause Sergeant Maddocks and Corporal Lees to attend this office on Thursday the 24th instant at 4.15 p.m., at which time Major Raymond intends to hold an investigation on their conduct when on guard on a certain day in camp, Ham Common.

By order,

W. CHATFIELD, Capt., Adjt.

Lance-Corpl. Lees was warned by Lieut. Cooper and Private O'Neil to attend the Sydney Battln. Office at 4.15 p.m. on Thursday the 24th ultimo.—1 May, /73. J.W., Capt.

Sir,

1st Sydney Battalion Office, 2 May, 1873.

IN obedience to your instructions by memo. of 14th ultimo, on report from Major Jaques as Field Officer of the day, on the conduct of Lance-Sergt. Maddocks and Lance-Corpl. Lees, No. 1 Comp., 1st Sydney Battln. V. R., while on guard at the camp, Ham Common, on the night of 13th April last, I held an investigation into the same at this office, and have now the honor to forward the following report:—

In this case I believe that Sergt. Maddocks's error arose from a mistaken idea that he was being "tested," as he himself asserts, as to his knowledge of the duty assigned to him as sergeant of the guard. Being in charge, he did not think he had any right to leave it, and on being called to the front by the Commandant, considered it only as a further "test." Some consideration should also be allowed for the novelty of his position as sergeant of a guard, and also from the fact of being upheld by the advice of Lance-Corpl. Lees in the belief that he ought not to go to the front and leave his guard when called upon to do so. Under all the circumstances elicited at the investigation, I feel justified in recommending this case to the lenient consideration of the Commandant.

Lance-Sergeant Maddocks.

I regret to have to report that I have not brought this case to a satisfactory issue by investigation, simply, I believe, from the fact that Lance-Corporal Lees would not distinguish between an Investigation and a Court of Inquiry, and had arrived at the foregone conclusion that a Court of Inquiry under any circumstances would be the result.

Lance-Corporal Lees.

On the first day, when I proceeded to inquire by reading the report and putting questions to him he answered, "I most respectfully decline to make any statement for the present."

At his request I postponed the inquiry, and furnished him through the Captain of his company with a copy of the report, and on his appearing yesterday the following is an outline of his replies:—

1. I am not guilty of any of the charges preferred against me.
2. I never was a member of the Left Qr. Guard during the encampment at Ham Common.
3. I never challenged Captain Campbell or Major Jaques as private at the encampment at Ham Common. I am a Lance-Corporal of No. 1 Comp., 1st Syd. Battln., V.R.
4. I did not hear any person laughing in an insulting manner towards Capt. Campbell during the encampment.
5. I was Corporal of the rear guard on the night of 13th April, 1873, at Ham Common, and not a member of the Left Qr. Guard as stated by Major Jaques and Captain Campbell, and challenged Major Jaques and Captain Campbell as such, according to H. M. Regulations, part 7, sec. 19, page 358.

Lance-Corporal Lees denies having answered the challenge in the way stated, but said words to the effect "Might I ask if it is 'visiting' or 'grand rounds,'" and that the laughing and insulting manner which Captain Campbell believed was directed at him, was in fact caused by his correction of one of the escort named Campbell, who instead of remaining at his post had doubled back after him when he went to report to the Sergeant.

At this stage of the inquiry Lance-Corporal Lees proceeded to make such remarks respecting the Commandant and the officers who accompanied him to the guard that I considered it my duty to put a stop to them; but Major Jaques who was present, and against whom some of his observations were directed, requested that he might be allowed to proceed. Lance-Corporal Lees however declined to say more, saying he would reserve anything he had to say for a Court of Inquiry.

The observations were, respecting Major Jaques, "that he threatened to shoot him down," and respecting the Commandant and other officers, "that they did not seem to be in their proper senses."

Lance-Corporal Lees declining to answer any more questions, and refusing to give me a copy of the document he had commenced reading, I was obliged to close the inquiry, leaving the Commandant to take such steps as may seem fit.

I have, &c.,

R. PEEL RAYMOND, Major.

All official documents returned.

Documents and investigation forwarded to Major Jaques and Captain Campbell for any additional remarks they may have to offer.—J.S.R., Lt.-Col., Comdt, 2/5/73, B.C. Returned with Major Jaques's statement attached.—T.J.J., 5/5/73.

Major Jaques's Statement.

Monday, 5 May, 1873.

FROM the statements made at the investigation, I think Sergeant Maddocks was under some false impression as to the object of his being ordered to the front; he seems partly to have been influenced by Lance-corporal Lees, whom he says he asked if he should obey the order. From the written statement made by Private J. A. D. Campbell of No. 2 Company, one of the guard, it may have been that the laughing and jeering complained of by Captain Campbell was not at him, Captain Campbell, but at Private Campbell, as explained; and I can endorse Major Raymond's recommendation in favour of Sergeant Maddocks.

As to the inquiry respecting Lance-corporal Lees, I still affirm that the report as to what occurred when I myself was present is substantially true; the language and tone were not respectful, and the words used were "Might I ask what sort of rounds you are." The statement made by Lance-corporal Lees, that Captain Campbell ordered his men to fix swords and that I threatened to shoot him down is false, and the assertion respecting myself and others not being in our proper senses is totally false and without the slightest foundation.

THEO. J. JAQUES,
Major Sub. Battn. V.R.

To be attached to paper re investigation, Maddocks and Lees.—T.J.J.

I have not had an opportunity of laying the papers before Captn. Campbell, to whom if necessary they might be referred.—T.J.J., 5/5/73.

Major Goodlet to refer these papers for Captn. Campbell's remarks without delay and return.—J.S.R., Lt.-Col., Comdt., 5/5/73, B.C.

Captn. Campbell will please make his remarks and return as soon as possible.—J.H.G., Major Sub. Battn., 6/5/73.

Although not by any means agreeing with their reasons, for other reasons I heartily concur in the recommendation of Major Raymond and Major Jaques in reference to Serjt. Maddocks.—JOHN CAMPBELL, Captn., 8/5/73.

When I proceeded to the rear guard at Ham Common, at a little after 10 on the night of the 13th ultimo, I was challenged, and on answering "Rounds," the guard was called out and an escort in charge of Corporal Lees approached. On being challenged by the escort, I answered as before "Rounds." The reply was "That's not the word." I was again challenged two or three times and on each occasion answered "Rounds." To my last answer the following words were used in reply—"I should like to know what style of rounds you might be." I may be mistaken in my impression, but I thought the words were used in an exceptionally insulting tone, as well as the first reply, "That's not the word." I was accompanied by Lieut. Chisholm, of No. 2 Highlanders. After passing the guard a few paces we heard them laughing. Lieut. Chisholm thought with me that the matter ought to be brought under the notice of the Field Officer for the day, which I did, not in the way of a formal complaint, but simply with the view of preventing a repetition. On leaving the guard Lieut. Chisholm and myself quietly talked over the replies given by Corporal Lees, and from the fact of having done so soon after they were uttered, believe that the exact words used by him were fixed in my mind.

JOHN CAMPBELL, Captn.

Will Lieut. Chisholm be kind enough to say if he can confirm this statement? Please return it to me at once.—JOHN CAMPBELL, Captn., 6/5/73.

I was with Captn. Campbell at the time stated, and beg to confirm the above statement.—H. J. CHISHOLM, Lieut. No. 2, "D.E.H.," 7/5/73.

Read to Lance-Sergeant Maddocks, and directed him to return to his duty.—R.P.R., Major, 13/5/73.

Having carefully considered the explanation offered, as also the recommendation of Major Raymond, I approve of Lance-Sergeant Maddocks returning to his duty, and absolve him from the intentional commission of any neglect of duty or want of respect to the officers concerned. At the same time, I think it well to point out that he laid himself open to both of these charges; for, in the first place, a commander of a guard should not have allowed his men to jeer and laugh in the presence of an officer on duty (Captn. Campbell), or at all events so near that he took it to himself. Again, the commander of a guard having been informed by the officer on duty (who had just turned out the guard), that the Field Officer of the day desired to speak to him, it certainly was his duty to have obeyed the summons—even without this intimation he should have obeyed the orders of the Field Officer of the day, had he known him as such—it would have been in accordance with the custom of the Service.

With reference to that portion of the affair in which I was concerned, there cannot be any doubt that being within the lines and the supreme authority in camp, and by whose orders the guard itself was placed, and, as is shown by the attached papers, recognized as the Commandant by the commander of the guard, it was his duty to have obeyed any order to advance. The formality of turning out the guard, giving the countersign, &c., under those circumstances, in order to speak with the commander of the guard, is unnecessary.

The case of Private Lees having disclosed fresh matter, in which he reflects upon the conduct of his superior officers, does not enable me to deal with it for the present as I otherwise should have done; and as any failure in substantiating such charges cannot but prove serious, I deem it only right to give Private Lees the option of withdrawing or offering any explanation he may see fit to make with reference to such charges. Should he adhere to the course of action he has to the present committed himself to, I shall have no other alternative than to bring the case before a Court of Inquiry.—J.S.R., Lieut.-Col., Comdt., 9/5/73.

Having read the documents to Lance-Corporal Lees, and given him the opportunity of withdrawing the statements therein made against his superior officers, he replies,—“I most respectfully decline to withdraw any statement with reference to the charges made against me, and as to the other statements I can bring witnesses to prove their truth.”—R.P.R., Major, 13/5/73.

Memo.

UNDER the peculiar circumstances of the case I consider it desirable for the present that the duties of the Court should be confined to the collecting and arranging of the evidence, on completion of which the Court may be adjourned and the proceedings submitted for my information and further guidance.

The matter for special inquiry appears to me as follows:—

1st. The unusual and unauthorized method of challenging, as adopted by Private Lees in using words to the following effect, viz. :—“That he should like to know what style of rounds he was,” together with the offensive tone in which he delivered the same towards Major Jaques and Captain Campbell.

2nd. Counselling L.-Sergt. Maddocks to a course of action contrary to true subordination, by reason of which that N.-C. officer neglected to obey the orders of his superior officers (Major Jaques and myself) in not presenting himself before them when ordered.

3rd. Acting as N.-C. officer in charge of the escort, contrary to the instructions laid down for the conduct of guards in challenging me, instead of waiting until the sentry had in the first instance performed that duty.

4th. Respecting Private Lees' statement that Major Jaques had threatened to shoot him down also.

5th. That the Commandant and other officers did not seem to be in their proper senses.

The Court to be conducted with closed doors.—J.S.R., Lt.-Col., Commandant, 29/5/73.

Memo.

Brigade Office, Sydney, 11 June, 1873.

MAJOR Jaques and Captain Campbell, being accused parties in the case under investigation by the Court of Inquiry of which Major Raymond is President, have a right to be present during the investigation, and an opportunity afforded them for cross-examination.—J.S.R., Lt.-Col., Commandant.

Major Raymond, President, Court of Inquiry.

Forwarded for information of Major Jaques and Captain Campbell.—By order, W.C., Capt., Adjt., 1st S.B.V.R., 12/6/73.

Exhibit

Exhibit A.

Mr. James Steel to Captain Campbell.

Sir,

May 10, 1873.

IN reply to yours I beg to state that I remember the night of the 13th April, and also what took place on Ham Common in connection with the rear guard. With a private I accompanied Major Jaques and yourself to the rear of the camp, and on approaching the rear guard the challenge "Halt! Who comes there?" was received. Major Jaques answered, "Rounds." And the Corporal who had advanced then asked, "I should like to know what rounds they might be." The Major did not reply, and was challenged again, answering as before, "Rounds;" and, being asked what rounds might they be, Major Jaques then said, "As you do not seem to know your duty, I will tell it to you; you should ask 'What rounds?'" The reply was, "I beg your pardon, sir, but that is not regulation." Major Jaques said, "You should go by the Brigade Order." After some little discussion, the Major asked whether he was to pass, as he ought either be allowed to do so or be arrested—which would he do? This not eliciting a reply, Sergeant Maddocks was called upon to advance, and not doing so Captain Campbell called out, "Sergt. Maddocks, do you refuse to obey the call of the Major?" no reply. The matter was then laid before the Commandant at his quarters, and on returning much the same was gone through as previously. With regard to our fixing swords I can say nothing definitely; that they were fixed I do not deny, but at whose instance I cannot remember. Apologizing that this was not sent earlier,—

I remain, &c.,

JAMES STEEL, No. 1 Highlanders.

Forwarded for Major Jaques' inspection.—JOHN CAMPBELL, Capt., 13/5/73.

Exhibit B.

To Major Raymond and the Officers composing the Volunteer Board of Inquiry.

Gentlemen,

IN compliance with your wishes I herewith furnish you with extracts from my diary of the Volunteer Encampment at Richmond, relating to what took place in reference to the rear guard on Sunday evening, 13th April, 1873. N.B.—The following being a verbatim extract of my private diary, written hurriedly, and without the slightest idea at the time that it would or might be required to be produced as evidence, and never intended in its present state for public inspection—only private perusal; and further, as it contains no exhausted details in reference to what took place on the night of the 13th April: for these reasons, gentlemen, you will please accept it with all its faults; and further, I wish it to be distinctly understood that I do not hold myself responsible for any errors contained therein, still I think you will find that it corroborates the chief points of my verbal statement.

Verbatim extract from my private diary:—"Our guard, or rather officers of the guard, Sergeant and Corporal, got into a sad disgrace during the night, which resulted in their being put under arrest and their arms taken from them, and a new Sergeant and Corporal appointed in their place. The cause arose in reference to the method, or rather order, of challenging and answering the challenge; when grand rounds or visiting rounds were paid the usual challenge is given—"Halt! Who comes there?" It was usual to say, "Rounds." The sentry then asked, "What rounds?" and was answered "Grand rounds," or "Visiting rounds," as the case might be; but for the guidance of the parties in camp most of the men were furnished with a small slip of printed instructions as to the rule of challenging in camp, and to which our Corporal adhered, and the officer challenged did not; therefore I consider the officer wrong. What use are printed rules unless strictly attended to—may as well have none. There were two officers, and they were properly challenged, but would only answer, "Rounds," instead of, according to printed rules, "Visiting" or "Grand rounds." The corporal refused to answer "What rounds?" The officer challenged arbitrarily and overbearing, wished to compel him to answer "What rounds?" which the other calmly but firmly refused to do. Bearing in mind—two of the guard with fixed swords at the post—a parley ensued upon the merits of the challenge. Neither would give in; the officer lost temper, and told the corporal either to let him pass or take him in charge. He refused to do either. The officer then called for the Sergeant in charge of the guard to come to him. The Sergeant refused, observing he was not supposed to know who he was, and quite right too. The officer wished to dictate, and have matters his own way. Finding he could not do so, his temper got the better of him, and threatened to go and either fetch a file or body of men and shoot him down. He was told he could do as he pleased, and then he left in a great passion and made a report to the Commandant, who shortly returned with the officer, and apparently in no amiable mood, and evidently on the side of the officer—the old cry of "might against right." The guard was again turned out, and the Colonel advancing was challenged in the usual manner, and the Colonel at once answered, "Grand rounds," thus showing, by example, that his officer must have been wrong. Having answered, "Grand rounds," he was answered and passed in the usual manner; and here the Sergeant was now at fault, either through confusion, ignorance, or obstinacy, for he refused to answer the Colonel when he repeatedly called upon him to do so; and when the Colonel came round, facing the guard drawn up to receive him, he gave the order to fix swords, which of course was not done; and the Colonel seemed to lose temper, and began to swear and speak sharp to the sergeant, asking him what the devil he was about, and saying, "Damn, if you don't know your duty I will teach you." He was greatly put out, and at first was inclined to put the whole guard under arrest, but altered his mind. A file was ordered to disarm the Corporal and take his accoutrements from him, and also the Sergeant; and after the latter had furnished a list of the names of the men of the guard, and the companies to which they belonged, they were placed under arrest and taken away; and I suppose the matter will end in a Court-Martial inquiry after we return to Sydney. There is no doubt the Sergeant was wrong, but I cannot see how the Corporal was wrong, but the officer, of course, would make the most of the matter. Another officer had his say—that no one challenged him when round during the early part of the evening, but said he was at last challenged, and when he was the men all tittered and laughed at him, or he should not have noticed the matter. The men deny laughing at the officer, but they did laugh about same time in reference to some one, but not the officer in question. I was not present all the time.

ARTHUR STACEY,

Private No. 1 Co. S.B.V.R.

The above, having been compared with the original, is found to be a correct extract.—R. PEEL
RAYMOND, Major, President of the Court. No.

No. 1 Coy., S.B.V.R.

I AM to inform you that your appointment as Lance-corporal in No. 1 Company S.B. is in orders to take effect from the 4th inst.

Memo.—Lance-Corporal Lees.

CHAS. E. FINCH, Qr.-m. Sergt,
Brigade Office, 5th March, 1873.

Private Campbell to Lance-Corporal Lees.

My dear Mr. Lees,

Gladesville, Wednesday night.

I FORWARDED to the Colonel, through my captain, to-day, a statement of what happened last Sunday night, as far as my name is concerned, of which I send you a copy, and I think I am pretty correct. I thought it best to send the statement in at once, as I did not know at what moment an inquiry might be held. Should you wish to see me at any time, I am to be found in the Mineral Lease Branch of the Surveyor-General's Office, O'Connell-st.

Yours faithfully,
JOHN A. D. CAMPBELL.

Copy of statement sent to Colonel Richardson.

Private Campbell to Colonel Richardson.

Sir,

Surveyor-General's Office, Sydney, 14 April, 1873.

I BEG most respectfully to be allowed to make a statement with reference to the fact which led to the arrest of Corporal Lees, corporal of the rear guard at the encampment on Sunday night, which I feel it is my duty both to myself and to him to make, and by which I hope to be enabled to show that through an unlucky coincidence in names a most unfortunate and painful mistake was made.

When Captain Campbell was challenged by Lees, the left file of the guard which accompanied Lees was composed of myself and another man, whose name I cannot remember. On Lees returning to repeat the countersign to the sergeant of the guard, both I and my rear-rank man, through stupidity on my part, which I can only attribute to being the result of three sleepless nights and overwork, instead of remaining at the charge left our post and returned to our places in the ranks. Immediately on Captain Campbell leaving the guard, and in his hearing, the guard having been dismissed, the men forming it began to laugh and jeer at me for having made such a ridiculous mistake, and Lees said to me something to this effect (still in the hearing of Captain Campbell)—“Well, Mr. Campbell, I am astonished that an old soldier like you should have made such a mistake.” Captain Campbell has himself since told me that he thought that the laughing and jeering alluded to above were applied to him; but I can assure you, sir, that they were applied to and addressed to me alone. I can also say that, as soon as the men had finished their laughing, &c., Lees was saying to me that—“he always did, and always should respect Captain Campbell, which I can vouch for. During the whole of the controversy between Major Jaques and Captain Campbell on the one side, and Corporal Lees on the other, as to the formality of the answer given by Captain Campbell and Major Jaques to the challenge by Lees, I am bound to say that he throughout spoke in the most respectful, and at the same time, firm manner.

I do not put these facts before you through any private friendship for Corporal Lees, but simply through a love of justice, and the thought of my being the innocent cause of any man's degradation, called upon me to speak at once.

I have, &c.,
JOHN A. D. CAMPBELL,
Private, No. 2, S.B.V.R.

Lieut.-Colonel Richardson to His Excellency the Governor.

Your Excellency,

Brigade Office, Sydney, 15 May, 1873.

SOME irregularities having occurred at the recent encampment of the Volunteer Force, and as the conduct of certain officers is called in question, I have the honor to request you will be pleased to sanction the assembly of a Court of Inquiry to investigate the matter.

I have, &c.,
JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

His Excellency the Governor to Lieut.-Colonel Richardson.

Sir,

Government House, Sydney, 16 May, 1873.

IN reply to your letter of the 15th instant, stating that some irregularities had occurred at the recent encampment of the Volunteer Force, and that the conduct of certain officers had been called in question, I have the honor to inform you that I sanction the assembly of a Court of Inquiry to investigate the matter.

I have, &c.,
HERCULES ROBINSON.

Brigade Order No. 81.

Brigade Office, Sydney, 19 May, 1873.

3. By direction of His Excellency the Governor, a Court of Inquiry will assemble at the Sydney Battalion Office, Elizabeth-street, at such time as may be appointed by the President, to investigate and report upon certain irregularities said to have taken place at the recent encampment.

President:—
Major R. P. Raymond, Sydney Battalion.

Members:—
Major P. L. C. Shepherd, Volunteer Artillery.
Major J. H. Goodlet, Suburban Battalion.

By Command,
THOS. BAYNES, Capt.,
Acting Major of Brigade.
Statement

STATEMENT of Lance-corporal Lees.

Gentlemen,

Sydney, 18 July, 1873.

AFTER this protracted inquiry, instituted by order of His Excellency, to inquire into the Special Report of Major Jaques, dated 14th April, 1873, and the statement of Colonel Richardson appended thereto,—four days ago I received a copy of five extracts of the Instructions to this Court of Inquiry, which I presume are the main questions at issue, and of which on evidence produced before you, it is your duty to either find me guilty or not guilty.

In referring to these extracts I shall take them separately, and refer to the sworn evidence of each witness.

Extract 1st says—"The unusual, and, &c."

Lieut. Chisholm, and Sergeants Maddocks and Steel, Private Prentice, witnesses for the prosecution, and Privates Bayley, Kean, Stacy, Wandby, Jones, and Mr. J. A. D. Campbell's statement will acquit me of this, as they have distinctly sworn I spoke in a most respectful tone of voice.

Extract 2.—"Counselling, &c."

Sergeant Maddocks has sworn that what he did he done on his own responsibility; all have sworn I did not counsel him as alleged.

Extract 3.—"Acting as non-commissioned officer, &c."

The sentry, Private Bayley, has distinctly sworn that he was the one who first challenged the Commandant; Kean, Stacy, Wandby, and Jones corroborate his statement, and further they state that the Commandant replied to the challenge of the sentry—"Grand rounds." I being corporal of the guard, and sent by the sergeant with an escort to demand the countersign from the "grand rounds," which I demanded according to the instructions laid down for the conduct of guards; I perceived to my astonishment, it was Col. Richardson, and not the "grand rounds" of the night, and suffered him to pass without the countersign. It is usual for the Commanding Officer-in-Chief, when approaching a sentry or guard, to reply—"Friend," or give his rank and name, and had the Colonel done so in this instance, the countersign would not have been demanded.

Extract 4.—"Respecting Private Lees, &c."

Sergeants Maddocks and Steel, Private Prentice, witnesses for the prosecution, and Privates Bayley, Kean, Stacy, Wandby, and Jones, have sworn that he did use those words, and that Captain Campbell was sufficiently near, and must have heard them.

Extract 5.—"That the Commandant, &c."

The above witnesses have sworn they were in an excited state. Sergeant Maddocks, Privates Bayley, Stacey, Wandby, and Jones, have sworn that Major Jaques was under the influence of liquor. Sergeant Maddocks, Privates Bayley and Jones swore the Colonel was under the influence of liquor.

Referring to Major Jaques' special report, I am not guilty of any of the charges preferred against me. I never was a member of the Left Quarter Guard. There was no such guard in existence at Ham Common. I never challenged Captain Campbell nor Major Jaques as private in the Volunteers during the Encampment. I am a lance-corporal of No. 1 Company, by appointment from the Brigade Office, dated 4th March, 1873.

I did not know any person laughing in an insulting manner towards Captain Campbell at any time during the Encampment. On the night of the 13th April, 1873, I was corporal of the rear-guard at Ham Common Encampment. About 10 p.m. the sentry on No. 1 post challenged, "Halt! Who comes there?" and was answered by some person (afterwards known to be Captain Campbell), "Rounds." The sentry ordered the guard to turn out. I, as corporal of the guard, was sent with a file of men to receive the rounds, and demand the pass-word or countersign. I challenged in these words, "Who comes there?" The answer was, "Rounds." I then, in a most respectful tone of voice used these words—"Might I ascertain are you grand or visiting rounds?" The reply was, "Visiting rounds." I then requested the visiting rounds to advance and give the countersign, which was "Number Ten." I then returned to the sergeant commanding the guard to repeat the countersign, and in going back to my escort I found that they had left their post. I then ordered them to return, which was obeyed; after which Captain Campbell and Lieutenant Chisholm approached the guard and appeared to be pleased at their reception, and bade us good night. The guard was then dismissed, and some of the guard commenced to laugh at the escort for making such a ridiculous and unsoldierlike mistake, and I conceived it to be my duty, as corporal of the guard, to upbraid them, especially one whose name appeared to be Campbell, a private in No. 2 Company, in words to the following effect,—“Well, Mr. Campbell, you should have known better, an old Volunteer as you are.” In confirmation of this I herewith hand you a copy of a letter I received by post from Mr. Campbell on the 11th April, 1873. Mr. Campbell's letter read, also his statement, which was sent to Colonel Richardson. About three-quarters of an hour after, the sentry again challenged, and the answer was "Rounds," and the guard turned out by the sentry. I was then directed by the sergeant to the guard to take a file of men to demand the countersign. I then challenged, "Who comes there?" The reply was "Rounds." I made a long pause, and then used these words, in a most respectful tone of voice (as witnessed and sworn in this Court by Sergeants Steel and Maddocks, Privates Prentice, Bayley, Kean, Stacey, Wandby, and Jones), "Might I ascertain are you grand or visiting rounds?" The answer was from some one (afterwards known to be Major Jaques), "You do your duty." I then made a very long pause, and again some one repeated, "You do your duty." I then challenged again, "Who comes there?" and the reply was "Rounds." Again I repeated, "Are you grand or visiting rounds?" Major Jaques replies, "You do your duty, I know who you are, I know what you are up to." Having dwelt awhile, and I remained silent, Major Jaques made use of these words, "Do you intend to permit me to pass?" I made no reply. Major Jaques said, "Why don't you come and make a prisoner of me?" I again did not reply, when I believe Captain Campbell ordered two men that were with him to fix swords, and Major Jaques at the same moment made use of these words, "I'll shoot you down," as sworn by Sergeants Steel and Maddocks, Privates Prentice, Bayley, Kean, Stacey, Wandby, and Jones, and denied by Major Jaques). Sergeant Maddocks, on hearing those words, came to me and asked should he order the guard to load. I replied, "Certainly not." Major Jaques then said, "You do not know your duty; you have not challenged according to regulation." I then replied, "I know of no other method of challenging, sir." It is according to Field Exercise, 1870, part 7, sec. 19, page 358, which runs as follows:—"If there is a countersign to be given, a corporal or sergeant will be sent out with

with the right or left file of the guard, according to the position of the rounds. He will move next to the front rank man; when at about 10 paces from the rounds he will order his men to halt and port arms, and will then repeat the challenge, 'Who comes there?' 'Grand (or visiting) Rounds.' 'Stand Grand (or visiting) Rounds.' 'Advance one and give the countersign.' The officer or non-commissioned officer accompanying the rounds will then advance and give the countersign, the two men of the file charging bayonets as he advances. The non-commissioned officer of the escort will go back and repeat the countersign to the commander of the guard, who (if the word is correct) will call out, 'Advance Grand Rounds (or visiting Rounds). All's well.' The non-commissioned officer of the escort having returned to his men, will then order them to shoulder arms, turn inwards, and step back three paces each. The rounds will pass between them. If they are grand rounds, the escort will be ordered to present; the guard will also present to grand rounds as they approach. As soon as the rounds have passed the escort will be ordered by a non-commissioned officer to shoulder (if they have presented), turn inwards, and march back and fall in on the flank of the guard, taking up 'the present arms' if the rest of the guard are at the present. The guard will then be dismissed as described in part 1 sec. 54,"—which clearly shows that it would have been my duty to order the escort to present arms to grand rounds, and remain at the shoulder if only visiting rounds, hence the disturbance through the mistake of the officers on duty.

Now Colonel Richardson approached, who was challenged by the sentry; the Colonel replies "Grand Rounds." I then demanded the countersign, and received no reply. The Colonel then called Sergeant Maddocks, who did not obey; I called Sergeant Maddocks since, and told him Colonel Richardson wanted him; he still remained with his guard; the Colonel then approached, and Sergeant Maddocks, and Privates Prentice, Bayley, Jones, Stacey, Wandby, and Kean swore, as he was approaching, he made use of these words, "Damn you, Sergeant Maddocks, I'll teach you to disobey me, what the devil do you mean; damn you, I'll teach you your duty; confine every one of them, send for the inlying picquet"; he there directed Sergeant Maddocks to take my arms and accoutrements from me, and make me prisoner, which was done, and I was confined in the prison tent.

I respectfully maintain that, had Captain Campbell and Major Jaques answered correctly to the challenge of the n. c. officer "Grand Rounds" or "Visiting Rounds," none of this unmilitary exposition would have taken place.

JAMES LEES,
Lance-corporal No. 1 Co.,
1st Sydney Battalion S.B.V.R.

Major Jaques to Major Raymond.

Sir,

Balmain, 6 September, 1873.

AT the time of the re-assembling of the Court of Inquiry as to the conduct of Lance-corporal Lees at the late encampment, I was under the impression that I should be at liberty to call evidence to rebut certain statements made reflecting upon me, and was asked to name such witnesses as I might wish to call. The Court, however, declined to receive any evidence from those I desired to call to show my extremely limited use of intoxicating drinks, both at the encampment and during life, a note of which refusal to receive the evidence appears, at my request, on the proceedings.

Since the re-assembling of the Court, statements of witnesses called by Lance-corporal Lees have been entered on the proceedings further reflecting upon me; I have, therefore, the honor to request that, before the final closing of the Court, I may be allowed to produce evidence of witnesses testifying as to their knowledge of me, both at the encampment and for very many years past, and in refutation of the allegations made.

I have, &c.,
THEO. J. JAQUES,
Major Vol. Rifles, Sub. Bat.

If the system desired by Major Jaques is permitted the Court will never finish, for of course Lance-corporal Lees will claim his right to call further evidence. Submitted for the ruling of the Comdt.—R.P.R., Major, President, 8/9/73.

Brigade Major to Major Raymond.

THIS letter to be attached to proceedings of the Court of Inquiry. A record of its receipt should be made on the proceedings.

By command,
W. B. B. CHRISTIE, Capt.,
Major of Brigade.

8/9/73.

THE Commandant leaves the question of the advisability of the evidence Major Jaques wishes to produce to the discretion of the Court.

By command,
W. B. B. CHRISTIE,
Capt., Major of Brigade.

8/9/73.

THE Court is of opinion that no further evidence is necessary.

R. PEEL RAYMOND,
President.

10/9/73.

P. L. C. S., Major, }
J. H. G., Major, } Members.

PROCEEDINGS

PROCEEDINGS of a Court of Inquiry assembled at Sydney, N.S. Wales, on the 30th May, 1873, by order of Lieut.-Colonel Richardson, Commandant, bearing date 19th May, 1873; to investigate and report upon certain irregularities said to have taken place at the recent encampment.

President:

Major R. P. RAYMOND, Sydney Battalion, V.R.

Members:

Major P. L. C. SHEPHERD, Volunteer Artillery Brigade.

Major J. H. GOODLET, Suburban Battalion, Volunteer Rifles.

The Board having assembled pursuant to the above order, proceeded to take the evidence herewith enclosed.

The Court met as appointed, but there being only two members present it became necessary to adjourn the same.

The Court adjourned accordingly at 5 o'clock p.m., to Tuesday, the 3rd June (proximo) at 4 p.m.

R. PEEL RAYMOND, Major, President.

Witnesses in attendance and warned of: the adjournment:—Major Jaques, Lieutenant Chisholm, Lance-sergeant Maddocks, Thos. James Dickson, No. 1 Co., E. B. Vickery, No. 2 Co., private Lees, No. 1 Co. (will be here at 4.30.), Arthur Stacey, No. 1 Co., Joseph Bayley, No. 6 Co.

Captain Campbell and his escort to be re-warned; privates Steel and Prentice, D.E. Highlanders.

The Court having re-assembled pursuant to adjournment, at 4 p.m., on Tuesday, the 3rd instant, and the Brigade Order constituting same being read, the charges against Private Lees being also read (but he was not present), proceeded to examine the first witness.

Major Jaques called in, and having made the required declaration, was examined by the Court.

By the Court:—

Q.—Your name and rank?

A.—Theodore James Jaques, Major Suburban Battalion, Volunteer Rifles.

Q.—The paper shown you is the report made by you at the Camp, dated 14th April last?

A.—Yes. It is a true report of the occurrences therein detailed.

Q.—Private Lees having denied using the words stated by Captain Campbell in his report to you, be good enough to repeat the words he used when he challenged you?

A.—He said, "I should like to know what sort of rounds are you, or might you be"—in an offensive tone of voice.

Q.—Is it your opinion that Private Lees was perfectly sober on the occasion referred to?

A.—From the distance I was away from him I could not express an opinion as to whether he was or not.

Q.—Did acting corporal Lees challenge you before the sentry did?

A.—Yes. He was close to the sentry, and from the voice I believe it was Private Lees that challenged me first.

Private Lees having been reported present at this stage of the proceedings, the foregoing evidence and the charges were read to private Lees.

Private Lees requested that the witnesses might be sworn instead of taking the usual declaration, which was conceded by the Court, and Major Jaques was duly sworn.

Major Jaques was accordingly sworn.

Q.—The evidence which you have already given, having been read over to you, please say is the same true?

A.—The evidence I have already given before this Court is true.

Q.—You are aware that Private Lees has stated that on the occasion referred to, you threatened to shoot him down?

A.—Such statement is false. I never ordered the escort either to load or to shoot, nor used any threat of the sort.

Q.—You have heard charge No. 5 read. Will you state whether you considered the Commandant and the other officers present in "their proper senses" or not, on that occasion?

A.—They were all perfectly in their senses; as for myself, I was in my proper mind and senses—never having been tipsy in my life, and I may mention I took particular care to notice everything that took place, being Field Officer of the day, and from the report of Captain Campbell of the conduct of the guard previously made to me before visiting the rounds.

Cross examined by Private Lees:—

Q.—Is that special report dated 14th April last, true and correct?

A.—It is a correct report of what was stated to me by Captain Campbell, and of what took place in my presence, and was read over to Captain Campbell before being forwarded.

Q.—Will Major Jaques be pleased, to state in what part of the Camp the left quarter guard was stationed?

A.—The guard that I refer to as the left quarter guard, was stationed in rear of the Commandant's Quarters.

Q.—Was I a member of the left quarter guard?

A.—You were present as a member of the guard to which I refer.

Q.—Did you parade me that morning as a member of the rear guard, and march me off as a corporal of that guard?

A.—I was present when the guards were told off, and I saw them marched off to their respective guards, but I did not accompany each guard to its respective position, and could not say to which guard you were attached.

Q.—Was there such a guard in Camp as the left quarter guard?

A.—When I asked what the guard in rear of the Commandant's Quarters was called, I was told it was the left quarter guard, and therefore used those words in my report.

Q.—Are you positive I challenged you first?

- A.—No, I can't say postively.
 Q.—When I challenged, was I in command of an escort?
 A.—You were the one that challenged, and there were others with you; I cannot say whether you were in command, but from your challenging, presumed you were.
 Q.—What was my first challenge?
 A.—I believe it was "Who comes there."
 Q.—After the word "rounds," did I not make use of these words, "Might I ascertain are you grand or visiting rounds" ?
 A.—I did not hear you make use of the words you state in your last question.
 Q.—Did you say to me "You do your duty" ?
 A.—Yes, I said "Do your duty, allow me to pass on, take me in charge."
 Q.—What reply did I make?
 A.—I heard no reply; I waited, and getting none, reported the matter to the Commandant.
 Q.—When the two Highlanders (your escort) fixed swords, did you threaten to shoot me down?
 A.—No, I never made use of any threat whatever; the escort might have fixed words, but without any order from me.
 Q.—Who commanded the escort?
 A.—I did.
 Q.—Did I ever accuse you of being drunk or intoxicated, or any other member that was present?
 A.—When you accuse the other officers and myself of not being in our proper senses, I naturally inferred that you meant that them and myself were tipsy.

THEO. J. JAQUES,
 Major Suburban Battalion.

The Court adjourned at 7 p.m., till Tuesday, 10th instant, at 7 p.m.

R. PEEL RAYMOND, Major,
 President.

The Court re-assembled at 7 p.m. on Tuesday, 10th June.

Lieutenant Chisholm called in and examined by the Court:—

- Q.—Your name and rank?
 A.—Henry John Chisholm, Lieutenant of No. 2 Highlanders.
 Q.—Were you with Captain Campbell on the first occasion when he went his rounds on the evening of the 14th April, at the Camp?
 A.—Yes.
 Q.—Will you state as briefly as possible what occurred on that occasion when he approached the guard in charge of sergeant Maddocks, No. 1 Co., S.B.V.R.?
 A.—When we approached the sentry he challenged, Captain Campbell answered "rounds." The guard was then called out, and Lance-Corporal Lees advanced with an escort; Captain Campbell was again challenged and answered "rounds." Corporal Lees then said "that's not the word." After a space Captain Campbell was then challenged twice by Corporal Lees, he answered on each occasion "rounds." Corporal Lees then said, "I should like to know what sort of rounds you might be, or might you be." Captain Campbell then said "visiting rounds." Corporal Lees then said "advance visiting rounds."
 Q.—Where was the sentry during this time?
 A.—I believe he remained at his post.
 Q.—In what tone of voice was the challenge given—offensive or otherwise?
 A.—Not offensive.

Cross-examined by Private Lees:—

- Q.—Were not these the words I used, "Might I ascertain are you grand or visiting rounds" ?
 A.—No.
 Q.—With regard to charge No. 5, did Captain Campbell appear to be in his proper senses or not, on that occasion?
 A.—In his proper senses.
 Q.—Did you see the Commandant or Major Jaques on that evening about that time, and were they in their proper senses or not?
 A.—I only saw Major Jaques, and he was in his proper senses.
 Q.—You say there was some laughing amongst the guard when you were passed—state what occurred?
 A.—I only heard laughing, but cannot tell what it was about.
 Q.—Do you consider it was in a very insulting way towards Captain Campbell?
 A.—It is impossible for me to say.
 Q.—Were there any civilians near while this laughing was going on?
 A.—I did not see any.

H. J. CHISHOLM,
 Lieut., No. 2 D.E.H.

- Q.—Your name and rank?
 A.—John Halford Maddocks, Lance-sergt. No. 1 Co., S.B.V.R.
 Q.—You were in charge of a guard at the camp on the 13th April last?
 A.—Yes.
 Q.—Did you hear the challenge of the visiting rounds on that occasion?
 A.—No.
 Q.—State what occurred subsequently?
 A.—When the word was given for the guard to turn out we did so as quickly as possible, and I was surprised to see Captain Campbell close by the tent door. He asked if I was going to challenge him; I said "No sir"; he then said, "Will you allow me to pass in," I said "yes sir," and he said oh, very well I will do so, or pass in.
 Q.—Did you see Lieut. Chisholm with Capt. Campbell?
 A.—No, not on that occasion.

Q.—

Q.—This was at 8 o'clock, what occurred on his second visit ?

A.—I heard a challenge, and visiting rounds answered. Lance-corporal Lees then went to the front while I turned out the guard. Lance-corporal Lees said, advance one and give the countersign, and came back to know if it was correct; it was correct, and I called out "Advance visiting rounds, and all's well." Capt. Campbell advanced and asked if all was correct; I said yes, and he replied "Dismiss your guard, good night." When Lees came to me about the countersign his escort followed him instead of remaining at their posts, and after Capt. Campbell had left the guard we laughed at the escort, one of whom was named Campbell, for having made such a mistake.

By Private Lees :—

Q.—Who first challenged Major Jaques and Capt. Campbell ?

A.—I don't know.

Q.—Did I first challenge them ?

A.—I can't say.

Q.—When I challenged the officers on duty, do you consider that I did so in an insulting manner ?

A.—No.

Q.—When I challenged Major Jaques and Capt. Campbell, and they answered "Rounds," what was my reply ?

A.—I wish to know what rounds they are, whether they are grand or visiting rounds ?

Q.—Did any members accompanying Major Jaques and Captain Campbell fix swords, and Major Jaques make use of these words, "I will shoot you down" ?

A.—I heard an order given by one of the party on duty with Major Jaques to fix swords, one of the same party, I believe; Major Jaques threatened to shoot us down in these words, "I'll shoot you down."

Q.—Did Major Jaques tell me when I first challenged, that that was not the proper method of challenging ?

A.—He did.

Q.—What reply did I make ?

A.—I know of no other way of challenging than is given in Queen's Regulations, mentioning page and section.

By the Court :—

Q.—Did you consider the threat made in a serious manner, "to shoot you down," by Major Jaques, and as if he intended to carry it out ?

A.—I did not; I took it as testing me, and told the guard to be prepared to return it, as they had plenty of ammunition.

Q.—With reference to second charge, what occurred between yourself and Lance-corporal Lees when you were ordered to come forward by the Commandant and Major Jaques ?

A.—I asked Lees if I, being sergeant in charge of the guard, was, as a rule, supposed to leave it. His reply was, "No, certainly not." I returned to the guard and was called out by some one saying, "I, as Colonel, order you to the front." I answered, "I don't know your are the Colonel, sir." A short time elapsed when I saw the party approaching, and ordered the guard to fix swords, no countersign having been given. The guard had not time to fix swords before the Colonel came round on our left flank to the front; when he came there he seemed very much annoyed, and said, "Damn you, what do you mean by that sort of conduct; you'll fix swords to me, will you; you think you are doing a fine thing, but I will teach you your duty."

Q.—When you were ordered to the front in the words stated, did you not know it was the Colonel who was speaking to you ?

A.—I did.

Q.—When you ordered the guard to fix swords, did you do so on your own motion, or under advice from Lance-corporal Lees ?

A.—On my own motion.

Q.—Did anyone suggest your reply to the Colonel ?

A.—No one.

Q.—What was your reason for stating you did not know the Colonel when ordered to the front by him ?

A.—I thought I was not supposed to know him, as no countersign had been given.

Cross-examined by Private Lees :—

Q.—When the Colonel called you to the front did I not say twice, "Sergt. Maddocks, the Colonel-wants you ?"

A.—I don't remember.

Q.—When you came to me was it immediately after Major Jaques threatened me ?

A.—I can't say.

Q.—What question did you put to me when you came to me at the time Major Jaques was present, was it "Shall I load ?"

A.—I don't recollect.

Cross-examined by the Court :—

Q.—Did the Commandant and other officers appear to be in their proper senses on that occasion ?

A.—They appeared to be very much excited.

Q.—Did they appear to be at all the worse for liquor in your opinion ?

A.—I am of opinion that the Colonel and Major Jaques had been taking a little too much; I did not take any notice of the others, as the Colonel and Major Jaques were the only two that addressed us.

Cross-examined by Private Lees :—

Q.—Did any person threaten to make prisoners of the whole guard, and who was it ?

A.—Yes. Colonel Richardson.

Q.—Was this threat carried out ?

A.—I was ordered to take Corporal Lees under arrest, to relieve him of his accoutrements; he (the Col.) then added, consider yourself under arrest, also, at the same time, desiring me to furnish him with a list of the guard within a quarter of an hour.

By

By the Court :—

Q.—Did the Colonel give his orders clearly or in a confused manner?

A.—He was clear, but very sharp.

Q.—Do you think orders given so are like what a man in liquor would give?

A.—I do.

J. H. MADDOCKS, Jr.,
L.-Sergt. No. 1 Co., S.B.V. Rifles.

The Court adjourned at 10-23 to Tuesday, the 17th inst., at 7 p.m.

R. PEEL RAYMOND, Major,
President.

THE Court met pursuant to adjournment, at 7 p.m., this 17th day of June, at 1st Syd. Battn. Office.

Present :—All the members of the Court.

At the commencement of the previous sitting Major Jaques made application to be allowed to be present at the proceedings, a charge having been made against him. After discussion, the Board decided that as the proceedings were ordered to take place with closed doors it could not be allowed.

But in pursuance of order from the Commandant, dated 11th inst., both Major Jaques and Captain Campbell were admitted, and afforded an opportunity for cross-examination.

Order from Commandant read, and Court resumed.

Captain Campbell, having taken the prescribed oath, was examined, as follows :—

By the Court :—

Q.—Your name and rank in the Volunteer Force?

A.—John Campbell, Captain No. 1 Co., Highland Brigade, Suburban Battalion.

Q.—You were Captain of the day on the night of 13th April last, at the Camp?

A.—Yes. Captain left half Brigade.

Q.—When you went your rounds on that evening, how were you challenged by the rear guard?

A.—The sentry called out, "Who comes there." I replied, "Rounds;" he then turned out the guard, and three parties approached,—Corporal Lees was one. Corporal Lees called out "Who comes there." Replied "Rounds." He then called out, "That's not the word." I made no reply, waited a few seconds, then he called out again, "Who comes there?" I replied, as before, "Rounds." He waited then a short time and called out again, "Who comes there?" Altogether, three or four times. I always replied, "Rounds." At the last time he replied, "I should like to know what style of rounds you might be." I replied, "Visiting rounds." He then said, "Advance one, and give the countersign." I did so, and we were allowed to pass. I was accompanied by Lieutenant Chisholm of No. 2 Highlanders.

Q.—Was his tone offensive in challenging?

A.—I thought so.

Q.—On the second occasion; when you went round with Major Jaques, what occurred?

A.—The sentry challenged, and Major Jaques replied, "Rounds." The guard was called out, and three parties, of whom Corporal Lees was one, approached, and Corporal Lees called out, "Who comes there?" Major Jaques replied, "Rounds." He challenged Major Jaques three or four times, and the same reply was given each time. After challenging, as before stated, he said, "I should like to know what sort of rounds you might be." Major Jaques replied, "Ask in a proper manner, and I shall inform you," or words to that effect. Corporal Lees said, "I am doing it in a proper manner, according to regulations." Major Jaques said, "You are mistaken, you are introducing some new drill not in force here yet." Lees replied, "It is in force, and I can show it to you." There was then a long conversation, when we left, and went up to the Colonel's quarters. Major Jaques and myself returned with the escort, a sergeant and private of No. 1 Highlanders, and Major Jaques asked Sergeant Maddocks to come to the front. Sergeant Maddocks came in the direction we were, and stopped short where Corporal Lees was standing, and apparently spoke a few words to Corporal Lees, and returned to the guard. Major Jaques ordered him, two or three times, to come to the front. He took no notice. I then called out, "Will you not come to the front at Major Jaques' order." He took no notice. I then left Major Jaques there, and went up to the Colonel. The Colonel then came down on my reporting that Sergeant Maddocks would not obey the order of Major Jaques. He ordered Sergeant Maddocks to the front three or four times, but he took no notice whatever. I then called out, "Sergeant Maddocks, will you not obey the Colonel." He took no notice, and we walked right down to the guard. The Colonel asked Sergeant Maddocks why he did not come to the front when ordered. He said, "I did not know who you were." "Then," I said, "do you mean to say you did not know it was the Colonel." He made no reply. The Colonel ordered Corporal Lees to be put under arrest, and, I think, Sergeant Maddocks.

Q.—Did you hear any threat by Major Jaques on that occasion towards the guard?

A.—I did not hear anything I could consider a threat.

Q.—What did you hear him say?

A.—There was a very long discussion, in the course of which Major Jaques said to Private Lees, if I am wrong, it is your duty to come forward and arrest me.

Q.—Did you hear Major Jaques say I will shoot you down?

A.—No.

Q.—Did you, or did you hear any other of your party order the escort to fix swords?

A.—No; but on leaving the Colonel's tent one of the escort said, "shall we fix swords, or had we not better fix swords." I said, "perhaps so." This passed in a very low tone of voice.

Q.—Were swords fixed?

A.—I believe they were.

Q.—Could this conversation have been heard by the rear guard?

A.—It was utterly impossible for them to have heard it from the distance we were.

Q.—You had an opportunity of closely observing the Commandant and other officers with you on that occasion?

A.—I had.

Q.—

Q.—Did you consider them in their proper senses, yourself included ?

A.—Yes.

Q.—If you are accused of not being in your proper senses, what inference would you draw from such a charge ?

A.—The inference would be that I had been drinking.

Q.—Did Sergeant Maddocks not make any reply to the Commandant's order before the party advanced to the tent ?

A.—I cannot say.

Cross-examined by Major Jaques :—

Q.—Previous to my accompanying you on the rounds, did you not report that you had been insulted by the guard under the command of Sergeant Maddocks, when going the rounds accompanied by Lieutenant Chisholm ?

A.—I stated the circumstances, but asked you not to consider it an official report, as I wished in a quiet way to prevent a repetition of it.

Q.—What reply did I make ?

A.—Major Jaques said he would be going the rounds shortly, and that I could accompany him, and that he would give a caution to the guard.

Q.—Do you know who it was that first challenged when I went the rounds with you ?

A.—The sentry.

Q.—Did Corporal Lees afterwards challenge ?

A.—He did.

Q.—Did Major Jaques give any orders to the escort to fix swords in your hearing, and could he have done so without you hearing him ?

A.—I did not hear him give any order whatever to the escort, and don't think he could have done so without my hearing him.

Q.—Did you accompany me from my tent to the guard, and was I in my proper senses ?

A.—Yes.

By Private Lees to the Court :—

Q.—Am I now to understand that this Court, at the present time, is an open or a closed Court ?

A.—By Brigade Order a closed Court.

Q.—As such might I respectfully request that all witnesses, both for and against, be requested to leave the Court, except the witness under examination ?

A.—As far as Major Jaques and Captain Campbell are concerned, the Court cannot order them to leave, as they are present by the Commandant's orders.

To the witness, Captain Campbell :—

Q.—When I challenged you and Major Jaques, the answer was "Rounds," was that according to regulation ?

A.—According to Field Exercise Book, 1870.

Q.—Have you any time since you made this report, requested to have it withdrawn ?

A.—No.

Q.—Did you tell Mr. J. A. D. Campbell of No. 2 Company, that you had made a great mistake ?

A.—No.

Q.—You are positive that Major Jaques did not make use of these words "I'll shoot you down" ?

A.—I am positive I did not hear him.

Q.—Did the escort that accompanied Major Jaques and yourself fix swords by your orders, when standing in front of the escort of the guard ?

A.—I have no recollection of having done so.

Q.—When the Colonel ordered Sergeant Maddocks to the front, did any person repeat these words,— "Sergeant Maddocks, the Colonel wants you," and who was the person ?

A.—I did not hear them.

Q.—Was Major Jaques present when his escort fixed swords ?

A.—I cannot be positive.

Q.—At the first preliminary examination with reference to these charges, did I make use of the words,— "proper or usual senses" ?

A.—I think,— "usual senses," but would not be positive.

Q.—How many members composed the rear guard ?

A.—About 14 or 15.

Cross-examined by Major Jaques :—

Q.—Did you receive any orders from me to direct the escort to fix swords ?

A.—No.

Cross-examined by Private Lees :—

Q.—Did any person direct you to go and get an escort for the purpose of making a prisoner of me, and make use of these words,— "And we'll get rid of him," or words somewhat to that effect ?

A.—No.

Q.—Who directed you to get the escort ?

A.—I don't think anyone directed me to get an escort.

Q.—Who ordered the escort to accompany Major Jaques on that evening ?

A.—I did.

Q.—Did you go round to my part of the Camp and ask for Volunteers to arm and accoutre themselves for the purpose of making any one a prisoner, previous to Major Jaques visiting the guard at 11 o'clock ?

A.—No.

Cross-examined by Major Jaques :—

Q.—Is not the escort you refer to, the same that accompanied us from the first ?

A.—Yes.

By

By the Court :—

- Q.—Was it usual for escorts to accompany officers on their rounds?
 A.—I cannot say.
 Q.—Did an escort accompany you on your visiting rounds?
 A.—No.

JOHN CAMPBELL,
 Capt. No. 1 H.

W. A. M. Prentice being called in and duly sworn, was examined :—

By the Court :—

- Q.—Your name and rank in the Volunteer Force?
 A. William Alexander M'Claren Prentice, Private No. 1 Highlanders.
 Q.—You were one of the escort that accompanied Major Jaques and Captain Campbell on their rounds on the night of the 13th April last, at the Camp. State what occurred when you approached the rear guard?
 A.—We were challenged by the sentry; the corporal of the guard turned out by escort, and challenged again, Major Jaques said "Rounds," it was repeated once or twice, the Corporal of the guard said "I don't know what rounds you may mean"; some time afterwards he challenged again, and Major Jaques said "If you don't know your duty I'll teach you; you ought to ask me what rounds it is"; there was some altercation between Major Jaques and the Corporal, and the Corporal quoted the Regulations, section and page. Major Jaques went away, came back after a short time, and called for Sergeant Maddocks to come out and speak to him; he did not come. Major Jaques asked if he was to be allowed to pass, or whether they would arrest him. Capt. Campbell then went for the Commandant. When he came down he went within the guard and ordered the Sergt. to put the Corporal of the guard under arrest. I did not hear or see anything further, as the Sergeant of Major Jaques' escort marched me away to the quarters.
 Q.—Do you know who was the Corporal of the guard?
 A.—Yes, Corporal Lees.
 Q.—Was he offensive in his tone of voice when he challenged?
 A.—No, I think not.
 Q.—Did you hear Major Jaques threaten to shoot him down?
 A.—Yes.
 Q.—State the words?
 A.—He said "Do you allow me to pass, or am I to get a body of men to shoot you down," or something to that effect.
 Q.—Did the escort fix swords, by whose orders, and where?
 A.—We fixed swords, but I cannot recollect who gave the order, we were opposite the guard, and about twenty or thirty yards from them when we did so.
 Q.—Were you ordered to fix swords?
 A.—I cannot recollect.
 Q.—When was it that Major Jaques threatened to get a body of men to shoot them down?
 A.—I cannot recollect exactly, but it was before the Colonel came down to the guard.
 Q.—Did you notice anything in the manner of the Commandant and other officers on that evening, which would lead you to suppose they were not in their proper senses?
 A.—No.
 Q.—If you were accused of not being in your proper senses what would you think was meant?
 A.—I should understand that it was meant I was tipsy.

Cross-examined by Major Jaques :—

- Q.—When I was challenged are you certain the words "I don't know what rounds you may mean," were the words used by Corporal Lees?
 A.—I believe they were.
 Q.—Were they not, "what sort of rounds you are or you might be"?
 A.—I have no recollection of such words being used.
 Q.—Was Captain Campbell present at the time you say I threatened to shoot them (the guard) down?
 A.—I am not sure whether he was present or had gone up to the Colonel.
 Q.—Was it before or after I went up to the Colonel?
 A.—I think it was after.
 Q.—Was Sergeant Steele present at the time?
 A.—Yes.
 Q.—When Captain Campbell went up to the Colonel did I or the escort accompany him?
 A.—The first time, not the second.
 Q.—Where did I remain when Captain Campbell went up to the Colonel?
 A.—About the first position we took up.
 Q.—Did the escort receive any orders from me?
 A.—I do not recollect.
 Q.—Do you recollect when it was you fixed swords?
 A.—About the time mention was made of shooting.
 Q.—Was it when Captain Campbell was returning from the Colonel's tent?
 A.—I believe it was before he went there.
 Q.—Have you a distinct recollection of my using those words about shooting down?
 A.—Yes.
 Q.—Do you recollect my telling the guard to do their duty, either to take me into custody or allow me to pass?
 A.—Yes.
 Q.—Was it at this time that the words about shooting down were used?
 A.—Yes, at the same time.

The Court adjourned at 11:10, to Thursday next, at 7 p.m.
 1st Sydney Battalion Office,
 17/6/73.

R. PEEL RAYMOND, Major,
 President.

The

The Court met pursuant to adjournment, but was compelled to adjourn again, in consequence of the absence of one of the members (Major Shepherd), to Tuesday, the 24th instant, at 7 p.m.

1st Sydney Battalion Office,
19 June, 1873.

R. PEEL RAYMOND, Major,
President.

The Court met pursuant to adjournment at 7 p.m., on Tuesday, the 24th instant.

Present:—All the members of the Court.

Private Prentice, of D. E. Highlanders, called in and his examination proceeded with.

Cross-examined by Major Jaques.

Before proceeding, the accused asked the Court, as the Commandant had ordered Major Jaques and Captain Campbell to be present, whether he might have a solicitor to be present on his behalf.

The Court decided in the affirmative.

The Court then re-opened and examination continued, but accused deferred presence of his solicitor to a future day.

Cross-examined by Major Jaques:—

Q.—After my return from the Commandant did I address my orders to Sergeant Maddocks or to Corporal Lees?

A.—Sergeant Maddocks.

Q.—To whom was I speaking when I used the words about “shooting down?”

A.—To Corporal Lees.

Q.—Did I address any of my orders to Corporal Lees after my return from the Commandant?

A.—I have no recollection.

Q.—When I ordered Sergeant Maddocks to the front did he obey?

A.—No.

Q.—Did you see Sergeant Maddocks advance on the order and speak to Corporal Lees?

A.—I saw some one, but cannot say who it was.

Q.—Has Corporal Lees or anybody else since the encampment told you that those were the words used?

A.—No.

Q.—Are you quite certain I did not go to the Colonel's tent the second time?

A.—Yes.

Q.—Was Captain Campbell present when the escort fixed swords?

A.—Yes.

Cross-examined by Private Lees:—

Q.—Will you state who warned you for escort, and for what purpose?

A.—Sergeant Steel—he did not say for what purpose.

Q.—When the escort and Captain Campbell went to the Colonel, was that before Major Jaques and the escort visited the guard?

A.—No.

Q.—Were Major Jaques and Captain Campbell present when you fixed your swords?

A.—Yes.

Q.—Did you hear anyone call Sergeant Maddocks immediately after Colonel Richardson called him?

A.—No.

Q.—The person you saw speaking to me—was it immediately after the words, “I'll shoot you down”?

A.—I cannot recollect.

Q.—State the words that Colonel Richardson made use of while approaching the guard, and after he had approached?

A.—“Damn you, Sergeant Maddocks, I'll teach you your duty,” that was all I heard, and then he went up to the guard.

Q.—While the Colonel was in front of the guard, did he make use of any other bad language?

A.—I did not hear him.

Q.—Did the Colonel threaten to make prisoners of the whole of the guard?

A.—Not in my hearing.

Cross-examined by Captain Campbell:—

Q.—How many paces in rear of Major Jaques and myself was the escort when halted in front of the challenging party?

A.—Three or four paces.

Q.—Did Major Jaques and myself stand exactly in front of the escort?

A.—Yes.

Q.—How many paces in front of us were the challenging party?

A.—From twenty to thirty paces.

The Court was here cleared to debate as to whether a question by Captain Campbell should be put or not. The question was allowed to be put.

Q.—Was not the night dark?

A.—It was a dark night.

Q.—Did you hear Corporal Lees challenge the Colonel when he and I approached?

A.—I don't recollect who challenged.

Q.—Did you hear any one challenge the Colonel?

A.—No, I don't recollect.

Q.—Will you swear that the first words the Colonel uttered when approaching the guard were not these—“Grand rounds”?

A.—Yes; those are the words.

Q.—Did Sergeant Steele and yourself accompany the Colonel to immediately in front of the guard?

A.—No.

Q.—Have you had conversation with members of the guard in reference to this matter?

A.—No.

The Court was here cleared to debate upon whether certain question by Captain Campbell should be allowed, viz., as to whether Major Jaques had a revolver with him at the time.

Question not allowed.

Q.—

Q.—Was it not during the discussion, when Major Jaques was pointing out what might be his duty, that the words shooting down were used?

A.—I don't remember.

Q.—How far were the challenging party from the tent?

A.—About ten or twelve yards.

Q.—Were the members of the guard faced in exactly a different direction to the challenging party?

A.—I cannot say what position the guard was in.

Cross-examined by Private Lees:—

Q.—Was Captain Campbell sufficiently close to hear Major Jaques's threat?

A.—Yes.

WILLIAM A. M. PRENTICE,
Private D. of E. Highlanders.

Sergeant Maddocks re-called, and being asked if he had been sworn in this case, was re-examined.

By the Court:—

Q.—Were all the members of your guard perfectly sober on the night of the 13th April, at the Camp?

A.—They were.

Q.—If you were accused of not being in your proper senses, what inference would you draw?

A.—That I was the worse for liquor.

Cross-examined by Captain Campbell:—

Not allowed to question on previous evidence of Sergeant Maddock's, as also Major Jaques not being allowed to be present at the time.

Cross-examined by Captain Campbell:—

Q.—Had the witness or any member of the guard any spirits in the tent?

A.—None that I could see.

Cross-examined by Private Lees:—

Q.—Who accused the Commissioned Officers of not being in their proper senses?

Question objected to. Court cleared and debated.

Question allowed. Court being of opinion that the accused should be allowed every latitude.

A.—No one that I know of.

J. H. MADDOCKS, Jr.,
L.-Sgt. No. 1 Co., S.B.V.R.

Sergeant Steele having been called in and duly sworn, was examined by the Court:—

Q.—Your name and rank?

A.—James Steele, Sergeant No. 1 Coy., D. E. Highlanders.

Q.—You formed one of the escort to the Field Officer of the day on the night of 13th April, at the Camp?

A.—Yes.

The charges were here read against the accused.

Q.—State the method in which the Field Officer of the day was challenged, and what occurred afterwards?

A.—The sentry first challenged "Rounds," and the guard turned out. The Corporal advanced with a file, fixed swords, and came to the port and challenged; the reply was, "Rounds;" the Corporal then asked, "I should like to know what rounds they might be;" there was no answer given; the challenge was repeated, and reply was given as before; "Rounds," the question was then asked; "What rounds might they be;" there was no reply, and the challenge was repeated again. Major Jaques then said, "As you don't seem to know your duty, I'll tell you what you ought to have asked; you should ask 'what rounds.'" The Corporal answered, "Excuse me, sir, that is not according to regulation." The Major then said, "You should go by the Brigade Order." There was then some discussion, and the challenge was repeated again, and the answer given as before—"Rounds." The Major then asked whether he was to be allowed to pass, or to be taken in charge, or in arrest. At this time or about, the words "Shoot you down" were used by Major Jaques. Afterwards Major Jaques called upon Sergeant Maddocks to advance, and on receiving no reply repeated the order two or three times. At that time one of the guard advanced as far as the Corporal and escort, spoke to the Corporal and retired. I could not make out exactly who it was, but believed at the time it was Sergeant Maddocks. About the time the Major asked if he should pass, or if they would arrest him, we fixed our swords; the Major then, when he found the Sergeant would not advance, went to the Colonel's quarters and reported the matter to him. After seeing the Colonel we again went down to the guard, and the Major again called upon the Sergeant; he did not respond to the call; he then (Major Jaques) ordered the Sergeant to place the Corporal under arrest. No notice was taken of the order, and Major Jaques then reported it to the Colonel. The Colonel came out himself, and went down to the guard, and after being challenged and replying, he advanced to the guard and ordered the Corporal under arrest, but then retired from the guard into Camp. I did not notice anything strange in the manner of any of the parties.

Cross-examined by Major Jaques:—

Q.—Can you state why I was challenged after the discussion you mention took place?

A.—No, I don't know the reason, except that I don't think the matter was quite understood after the discussion.

Q.—Were not the words used "I should like to know what sort or what style of rounds you are" instead of those stated by you?

A.—I do not remember hearing them.

Q.—Did you receive any order to fix swords, or did you do so of your own accord?

A.—I really do not remember, but we did fix swords.

Q.—Did you receive any orders at all from me?

A.—No, not that I remember.

Q.—

Q.—Do you remember where you were when you fixed swords—was it near the guard or up at the Colonel's tent?

A.—It was where we halted upon receiving the first challenge.

Q.—When I went the second time to the Colonel's tent, how long was it before he followed me down to the guard?

A.—As near as I remember you both came from his tent at the same time.

Q.—Did the escort follow me part of the way up to the tent (the Colonel's)?

A.—Yes.

Q.—On both occasions?

A.—Yes.

Q.—Did anybody else accompany the Colonel part of the way down besides myself and Capt. Campbell?

A.—I do not remember; but after we left I was ordered back to request the attendance of Capt. Compton, but by whom I do not remember.

Q.—If any of the officers alluded to had been tipsy, would you not have observed it?

A.—In all probability I should.

[Major Jaques here put in a letter, marked exhibit A, which was read, dated May 10th, 1873, and signed by James Steele, Sergeant No. 1 Highlanders.]

Q.—Is that your letter, and is the statement therein correct?

A.—Yes.

Cross-examined by Captain Campbell:—

Q.—Did you hear the complaint made by Major Jaques to the Colonel on the first occasion?

A.—No.

Cross-examined by Private Lees:—

Q.—Who warned you for the escort, and for what purpose?

A.—Captain Campbell. I was not told for what purpose. I was warned, but to accompany Major Jaques.

Q.—Did Captain Campbell go into several tents and ask for Volunteers to arm and accoutre themselves to accompany you to a particular guard?

A.—Not to my knowledge.

Q.—When I challenged, do you consider I challenged in an insulting manner?

A.—No.

Q.—When I challenged the answer was "Rounds,"—was that answer according to regulation?

A.—I think not.

Q.—For what purpose did you fix swords?

A.—I cannot say.

Q.—Did you hear any person calling Sergeant Maddocks after the Colonel called, when he was approaching the guard?

A.—I do not remember.

Q.—Was the night dark or not?

A.—It was not very dark; the clouds flitted across the sky.

Q.—Was Captain Campbell sufficiently near to hear Major Jaques make use of the threatening words,— "I'll shoot you down"?

A.—I cannot answer that question, as I have not sworn that those particular words were made use of.

Q.—Did Major Jaques make use of any threat whatever?

A.—As I said before, the words "shoot you down," or "shooting you down," were made use of.

Q.—Was Captain Campbell sufficiently near to hear these words?

A.—Yes.

Q.—How long were you standing in front of the guard before you fixed swords?

A.—Five or ten minutes.

Q.—Is it usual for a Sergeant of an escort to fix swords without orders when accompanied by a Major and a Captain?

A.—No.

Q.—Why did you fix?

A.—I believe I was ordered to do so, but by whom I cannot say.

Q.—Will you state the words that Colonel Richardson made use of while approaching the guard, and afterwards in front of the guard?

A.—As nearly as I can remember the words were, "What the devil does all this mean, I'll damned soon show you what you ought to do."

Q.—Did you hear any person accuse the officers of not being in their proper senses?

A.—No.

Cross-examined by the Court:—

Q.—How did the Colonel reply to the first challenge from the sentry?

A.—Grand rounds.

Q.—Did Captain Compton visit the guard with the Colonel?

A.—Yes, he followed him to the guard after I told him.

Q.—If you are accused of not being in your proper senses what inference would you draw?

A.—Either that I was insane or under the influence of drink.

JAMES STEELE, Sergt. No. 1 Highlanders.

The Court adjourned at 11 p.m., to Tuesday, 1st July at 7 p.m.

R. PEEL RAYMOND, Major,
President.

The Court re-opened at 7:10 p.m.—The whole of the members being present.

The accused being asked if he intended to call any witnesses, answered in the affirmative, and called;—

Private Joseph Bayley, No. 6 Company, 1st Sydney Battalion, being duly sworn, was examined by the accused.

Q.—State what occurred on the night of the 13th April, 1873, while you were a member of the rear-guard at Ham Common, between the hours of 9:30 and 11 p.m.?

A.—I was on sentry at 9 p.m. At about 10 o'clock, Captain Campbell visited the guard. I challenged him, and called out the guard. The corporal (Lees) went to the front, and challenged. Captain Campbell answered, "Rounds." Corporal of escort wished to ascertain from Captain Campbell whether it was grand or visiting rounds. He stated, "Visiting rounds," and the usual orders were given, and he passed through. When Captain Campbell was passing to the left of the guard tent, some awkwardness or mistake of the escort caused Corporal Lees to make the remark to one of the escort of the name of Campbell, "Well, Mr. Campbell, I thought you were a better soldier than that," which caused some or most of the guard to laugh at the time, and within the hearing of Captain Campbell. About 11 o'clock, Major Jaques came round. I challenged him and Captain Campbell, and called out the guard. The corporal of the escort went to the front and challenged Major Jaques; he answered "Rounds"; the corporal challenged him a second time; he answered again "Rounds"; after a pause Major Jaques said he was not challenged properly; the corporal said he knew no other way of challenging, giving—see 6 page of the regulations. The corporal said "I should like to ascertain whether you are grand or visiting rounds"; there was some parley and Major Jaques said "Will you allow me to pass or come and take me prisoner"; the corporal said "Neither one nor the other"; the escort of the rounds was ordered to the charge, and our escort also came to the charge; Major Jaques then said he should go to the Commandant, and after some talk he went away; a few minutes afterwards the Commandant came round; I challenged him, and the corporal of the escort challenged him; he answered, "Grands rounds"; the corporal ordered one to advance and give the countersign; the Commandant stood still and called for Sergt. Maddocks to come to him; Sergt. Maddocks did not go to him, although called twice by Corpl. Lees; with that the Colonel advanced to the guard, and in a very excited manner said, "Damn you Sergt. Maddock, if you don't know your duty I'll teach you," or something to that effect; the Commandant ordered Corpl. Lees under arrest, and afterwards Sergt. Maddocks was put under arrest by him; he asked how many composed the guard, and ordered the names to be sent into his tent within 10 minutes; after that Sergt. Maddocks and Corpl. Lees were sent away under arrest, and fresh Non-Comsd. Officers sent down to the guard.

The attention of the Court having at this stage been called to the fact that the charges had not been read over to the witness, they were read accordingly at the request of the accused.

Q.—How many members composed the rear guard?

A.—A sergeant, corporal, bugler, and 21 privates.

Q.—Were you the sentry on the guard tent, No. 1 post?

A.—Yes.

Q.—When I challenged the officers on duty, do you consider I did so in an insulting manner?

A.—No; certainly not.

Q.—Did I make use of the words,—what style of rounds are you?

A.—No.

Q.—When I made use of the remarks to Private Campbell, was that after the guard was dismissed?

A.—Yes.

Q.—Did you observe the escort with Major Jaques fix swords?

A.—Yes.

Q.—State the words Major Jaques made use of at same time as the fixed swords?

A.—He said, I'll shoot you down.

Q.—Did the Colonel curse and damn Sergeant Maddocks more than once?

A.—He said first, "What the devil are you doing Sergeant Maddocks," and then "Damn you Sergeant Maddocks, if you don't know your duty I'll teach you".

Q.—Did the Colonel direct any person to go and bring the in-lying picquet, and make any threat to the guard at the same time?

A.—I heard him order some other Non-Commissioned Officers to be sent for, and I thought we were all going to be placed under arrest.

Q.—Was there anything mentioned about the in-lying picquet?

A.—Not that I remember.

Q.—During this disturbance do you remember any persons being under the influence of liquor, either members of the guard or any others present?

A.—None of the guard were so, but I believe the Officers who came into the guard were under the influence of liquor—they were Major Jaques and the Commandant also; I am under that impression from his excited state.

By Major Jaques :—

Q.—After my reply, "Rounds" to the challenge, what was Corporal Lees reply?

A.—I should like to ascertain whether you are grand or visiting rounds.

Q.—Do you recollect what my reply was?

A.—You stated Corporal Lees was not challenging properly.

Q.—Did I tell him what he ought to have replied?

A.—You did say something to that effect.

Q.—Did I not tell Corporal Lees that he should reply what rounds?

A.—I don't recollect those words.

Q.—Are you certain that the words used were "I will shoot you down"?

A.—Quite certain.

Q.—Did you hear me give any orders to my escort?

A.—I don't recollect.

Q.—How far did I stand from my escort?

A.—About 7 or 8 feet.

Q.—How far was I from where you stood?

A.—About 20 or 30 yards.

Q.—Was it moonlight?

A.—Yes.

Q.—Did my escort come to the charge at same time as the escort of the guard?

A.—Your escort came down first.

Q.—Did you hear any one give an order to my escôrt; if so, who was it, and what was it?

A.—Capt. Campbell ordered them to fix swords.

Q.—Who ordered them to come to the charge?

A.—I believe it was Capt. Campbell, as they came to the charge immediately after fixing swords.

Q.—Did I give any orders to Sergt. Maddocks?

A.—I believe you called Sergt. Maddocks two or three times, but I heard no orders given.

Q.—Was this before the Colonel came down?

A.—Yes.

Q.—Was it before or after I called Sergt. Maddocks that I used the words "I'll shoot you down"?

A.—I cannot say exactly.

Q.—To whom were the words addressed?

A.—To the escort from the guard.

Q.—Did Sergt. Maddocks come to the front when I called him—did he make any reply?

A.—No.

Q.—Was Capt. Campbell present with myself and the Colonel, and did he appear also to be under the influence of drink?

A.—Yes, Captain Campbell was there, but I did not notice it in him.

Q.—How did you come to the conclusion that I was under the influence of drink?

A.—From the very excited state you were in, as I did not believe any one not under the influence of liquor could make such false charges as were made at that time.

Q.—Did I make any charges at the time, and what were they?

A.—When you were asked by the Colonel what charges you had against the guard, you stated you would not have been so particular in going round only that Captain Campbell had been treated with disrespect by the guard when he went round at 10 o'clock.

Q.—Where and when did this take place?

A.—In front of the guard when they turned out. You stood on the left flank of the guard, and the Colonel was in front.

Q.—Was this conversation before or after the Colonel had placed the non-commissioned officers of the guard under arrest?

A.—Immediately after he had placed Corporal Lees under arrest.

Q.—Has any one told you since the encampment that those were the words I used—"I'll shoot you down?"

A.—No, for I heard them distinctly myself.

Q.—After I had called Sergeant Maddock to the front did I address Corporal Lees, and what did I say?

A.—I cannot recollect.

By Captain Campbell:—

Q.—What are your reasons for concluding that the Colonel was under the influence of liquor?

A.—From his excited state and the language used.

Q.—Did Sergeant Maddocks order the guard to fix swords when the Colonel ordered him to come to the front?

A.—Sergeant Maddocks did so, but they had not time to fix before the Colonel was within the guard.

Q.—Did Major Jaques' escort stand immediately in rear of him and myself?

A.—No, on one side of you, as it appeared to me on your right.

Q.—If the escort themselves swear that they were immediately in rear, in your opinion would they swear falsely?

A.—I swear, to the best of my belief, they were on the right.

Q.—Was it simultaneously with the words used by Major Jaques—"I'll shoot you down"—that I ordered the escort to fix swords?

A.—About the same time.

Q.—Was the order to fix swords prefixed by any caution, such as Guard, or Escort, or Company?

A.—I don't recollect.

Re-examined by Corporal Lees:—

Q.—Was Captain Campbell near enough to Major Jaques to hear all that passed when Major Jaques visited the rear guard?

A.—Yes.

Q.—Did you see a major about 60 or 70 yards from you going to the closets, and stopped by No. 3 sentry?

A.—I do not recollect.

By the Court:—

Q.—On whose order did the escort of the guard come down to the charge?

A.—By order of Corporal Lees.

JOSEPH BAYLEY,

Private, No. 6 Company, 1st Sydney Batt., V.R.

Private Patrick Kean, No. 3 Company, 1st Sydney Battalion, being duly sworn, the charges were read in his presence, and he was then examined by the accused:—

Q.—Were you one of the escort that accompanied me to receive Captain Campbell at 10 o'clock on the night of 13th April at Ham Common?

A.—Yes.

Q.—State to the Court what took place on that occasion?

A.—Captain Campbell visited the gaurd, I went out as escort with another man named Campbell. I believe Captain Campbell was challenged by the corporal of the guard—first challenged by the sentry. Corporal Lees said, "Halt! Who comes there?" Captain Campbell answered "Rounds"; after some other other words passed between them Corporal Lees said he should like to know what rounds he was, whether "guard" or "visiting rounds"; Captain Campbell answered "Visiting rounds". Captain Campbell was then allowed to pass in; before this, however, when the corporal went back to the sergeant with the countersign, we, under a mistake that we ought to do so, went after him. When he came back again he said, "Where is the escort we returned back?" after the usual forms the escort was opened out, and Captain Campbell passed through. He visited the guard, and the escort joined the guard again. Q.

Q.—When the guard was dismissed after Captain Campbell had passed, did they commence to laugh at any particular person or persons?

A.—Yes, they commenced to laugh and jeer at the escort for leaving their places and running in after Corporal Lees.

Q.—Did Major Jaques and Captain Campbell visit the guard the same night about 11 o'clock?

A.—Yes.

Q.—State what took place on that occasion?

A.—The guard turned out, Corporal Lees brought Campbell and myself out again as the escort. Corporal Lees said, "Who comes there?" Captain Campbell replied, "Rounds"; there was a long dispute about the pass word. Corporal Lees asked at different times who comes there, and was replied to "Rounds"; at last he said, I should like to know what rounds, whether "grand" or "visiting rounds." Major Jaques and Captain Campbell then went away, and shortly afterwards returned with an escort of two men, Highlanders, followed by Colonel Richardson and Captain Compton. The colonel was challenged, and stood; Corporal Lees said, "Who comes there," the colonel answered "grand rounds"; the colonel then then advanced, and visited the guard, accompanied by Major Jaques and Captain Campbell; he then called Major Jaques to the front and asked him to make a statement of the charge against the guard. Major Jaques said that Capt. Campbell had visited the guard and found them very insulting, or something of that meaning; he then related to Colonel Richardson that he afterwards visited the guard with Capt. Campbell and made a statement something similar to Capt. Campbell's.

Q.—When you accompanied me as one of the escort did you hear any threat made use of, and by whom?

A.—By Major Jaques.

Q.—What were the words?

A.—He either said, "I'll fetch a body of men and shoot you down," or "I'll shoot you down."

Q.—When the above threat was made did any person come to the escort from the guard?

A.—Yes.

Q.—State who it was, and the words the person made use of?

A.—Sergt. Maddocks, in command of the guard, and said, to best of my belief, "Shall I load."

Q.—When I challenged the officers on duty do you consider I challenged in an insulting manner?

A.—No.

Q.—(By Major Jaques) At what time did I use the words about shooting down?

A.—When you and Capt. Campbell stood before the escort of the guard.

Q.—Do you remember me calling Sergt. Maddocks to the front?

A.—I believe you did, but can't swear to it.

Q.—When I gave that order did Sergt. Maddocks advance and speak to Corporal Lees?

A.—I believe not.

Q.—Did Sergt. Maddocks advance at all when I called him to the front?

A.—I don't know, as our backs were turned towards the guard.

Q.—When Sergt. Maddocks advanced to Corporal Lees and spoke, what did he reply?

A.—"Certainly not,"

Q.—Are you sure the question asked by Sergt. Maddocks was "Shall I load," or "Shall I obey?"

A.—I believe he said "Shall I load."

Q.—Was it at this time that I was calling Sergt. Maddocks to the front?

A.—I cannot recollect.

Q.—Did you hear any orders given to my escort, and by whom, and what were they?

A.—I saw one of the officers with you turn round to the escort, but could not hear what was said.

Q.—Do you know who accompanied me?

A.—Capt. Campbell, Lieut. Chisholm, and two Highlanders.

Q.—Could you see distinctly who the escort was; was it sufficiently fine for you to do so?

A.—It was moonlight, but not very clear; but I could see who the escort was. By moonlight I mean it was moon time but cloudy

Q.—Was it this time that your escort was ordered to fix swords?

A.—We were at fixed swords, I think.

Q.—When were you ordered to fix swords?

A.—Before we left the guard, I think.

Q.—Are you certain I used the words "I'll shoot you down," or "I'll bring a body of men to shoot you down," and cannot you state which of said words I used?

A.—I am certain I heard one or other used, but cannot say which.

The Court adjourned at 11.5 p.m., to Thursday, the 10th inst., at 7 p.m.

R. PEEL RAYMOND, Major, President.

The Court met, pursuant to adjournment, at 7.30 p.m., the whole of the members being present.

At the last examination the accused stated that the charges as read to a witness were not the same as a copy that has been furnished to him. On being requested on this occasion to produce the copy alluded to, the accused produced copy of the report from Major Jaques, dated 14th April, 1873, with the memo. of the Commandant thereon, dated 17/4/73, informing the Court that the paper produced was the only document furnished to him, and that he had not been furnished with a copy of the charges as read before this Court. On being asked if he desired a copy to be furnished him now, he said, "No, not at this stage of the proceedings."

The Court then proceeded with the examination of Private Keen, No. 3 Company, 1st Sydney Batt., V.R.

Cross-examined by Major Jaques:—

Q.—Did you hear Capt. Campbell call Sergt. Maddocks, and ask him if he refused to obey me?

A.—I heard something to that effect, but cannot be sure what the words were.

Q.—Did the Sergt. reply or advance when called?

A.—I did not hear him reply, nor did I see him advance.

Q.—Was this before or after the words about shooting down were used?

A.—I can't be certain, but think it was before.

Q.—After I called Sergt. Maddocks to the front, did I give any orders to or address Corpl. Lees?

A.—I don't remember.

Q.

- Q.—To whom was I speaking when I used the words about shooting down?
 A.—I cannot say whether you meant Corporal Lees or the whole guard.
 Q.—Who replied to me immediately before I used those words?
 A.—Corporal Lees.
 Q.—Do you recollect whether I went once or twice to the Colonel?
 A.—Only once, to my knowledge.
 Q.—Did you see me standing all the time in front of the guard, or how often did I leave the guard?
 A.—I believe you only left once.
 Q.—When I returned after being with the Colonel, was I again challenged, and by whom?
 A.—I don't remember, but I don't think you were.
 Q.—Was it before I left to go to the Colonel that the words about shooting down were used?
 A.—Yes.
 Q.—When I returned from the Colonel what was the first order I gave?
 A.—I don't remember.
 Q.—Was it then or before that I called Sergeant Maddocks?
 A.—Before then.
 Q.—Do you remember how long after I returned did the Colonel come down, or did he accompany me down?
 A.—The Colonel came down directly after you.
 Q.—Did I give any orders to the guard between my return and the time that the Colonel came down?
 A.—I don't remember.
 Q.—If any order was given between my return and the Colonel coming down, would you not have heard it?
 A.—Yes, I must have heard it, but if given I don't recollect it.
 Q.—Was the Colonel challenged when he came down, and by whom?
 A.—He was challenged by the sentry, I believe.
 Q.—When the Colonel was challenged, what was his reply?
 A.—“Grand rounds.”
 Q.—Did he then at once pass to the front of the guard, and who accompanied him?
 A.—No, he did not go at once, but called the sergeant of the guard first two or three times.
 Q.—Did my escort accompany the Colonel and pass in?
 A.—I do not remember.
 Q.—How did the Colonel find out which was Sergeant Maddocks?
 A.—I don't know.
 Q.—Did the Colonel address Sergeant Maddocks personally?
 A.—I don't know, because the Colonel was standing in front of the guard before we joined it.
 Q.—What position did Corporal Lees and escort take up when they joined the guard?
 A.—On the left of the guard.
 Q.—Did the Colonel order Sergeant Maddocks to place Corporal Lees under arrest, and in what words?
 A.—I believe he ordered him to do so, but don't know the words he used.
 Q.—Did I give any orders to the guard when the Colonel was present?
 A.—I don't remember.
 Q.—Did the Colonel address me or give me any orders before he directed Corporal Lees to be placed under arrest?
 A.—He called you to make a statement as to how the affair happened.
 Q.—What did I reply?
 A.—You made a statement that the guard was disorderly and insulting, but cannot tell the exact words.

Re-examined by Corporal Lees :—

- Q.—Was Captain Campbell sufficiently near to Major Jaques to hear the words “I'll shoot you down”?
 A.—Yes.
 Q.—You say that Lieutenant Chisholm visited the guard. Are you positive of the time that you saw him?
 A.—No, I am not.
 Q.—Who was the first to challenge Colonel Richardson as he approached?
 A.—I believe it was the sentry on the guard tent—No. 1 sentry.
 Q.—When Colonel Richardson called Sergeant Maddocks, did you hear any person call the sergeant and tell him that the Colonel wanted him and who was it?
 A.—The Colonel called the sergeant twice, and Corporal Lees then turned round and said, “Maddocks, the Colonel wants you, or words to that effect.”
 Q.—Did I countenance the sergeant or direct him to disobey his superior officers in any manner or form?
 A.—No; not to my knowledge.
 Q.—State the words Colonel Richardson made use of while he was approaching the guard, and after he did approach?
 A.—I heard him say, as he was approaching the guard, “I will teach you to obey my orders”; and after he was in front he said, “I'll have none of this damned humbugging.”

Put by the Court, at request of accused :—

- Q.—During the disturbance did you take notice of any of the guard or any person or persons in or near the guard, under the influence of liquor?
 A.—No.
 Q.—Were any of the officers who visited the guard during the disturbance under the influence of liquor?
 A.—If not drunk they seemed very much excited.

By the Court :—

- Q.—Name the officers alluded to?
 A.—Major Jaques and Colonel Richardson seemed very much excited.
 Q.—Did the officers above mentioned seem perfectly aware of what they were doing?
 A.—Yes, I believe they did.
 Q.—Did you observe any unsteadiness in their actions?

A.

A.—No; I did not take particular notice. The witness here wished to correct his statement with respect to Lieutenant Chisholm; he believes he saw him or Captain Campbell first visit at 10 o'clock, and not with Major Jaques.

PATRICK KEAN,
No. 3 Co., 1 Sydney Batt.

Arthur Stacey, Private No. 1 Coy., 1st Syd. Batt, being duly sworn, and the charges read over in his presence, was examined by accused:—

Q.—Where you a member of the rear guard on the night of 13th April, 1873, at Ham Common?

A.—Yes.

Q.—Did you keep a diary during that encampment?

A.—I did.

Q.—Will you furnish a copy of that portion of the diary to this Court, wherein it refers to the rear guard on that night?

A.—I will.

Q.—State to the Court what took place between the hours of 9:30 and 11 p.m. the same night, at the rear guard?

A.—About 10 o'clock the same night Captain Campbell came round; he was passed by the sentry; the guard was turned out, and he came up to the sergeant and asked him if he had any report to make; he said no, all was well; he then left, saying good night; after that some laughing took place amongst the guard in reference to a Mr. Campbell, one of the guard, having made some mistake; I heard Corporal Lees make this remark, "Well, well, Mr. Campbell, I did think better of you, an old soldier like you"; the laughing continued some little time; about half-past 10, or twenty minutes to 11, the guard was turned out again to receive rounds; Corporal Lees, with an escort, went to receive the rounds; I heard him challenge the officer making the rounds; he said, "Halt! who comes there?" the officer answered, "Rounds"; Corporal Lees did not make any immediate reply, but presently asked, "May I ascertain whether they are grand or visiting rounds"; the answer was, "Do your duty"; the corporal replied, "I am doing my duty." Some little parleying ensued, the exact words I do not remember, but was to the effect that the corporal said, "I am acting in accordance with the rules and instructions laid down"; the officer denied that he was doing so; at length the officer made the remark, "Either let me pass or take me in charge"; and as the corporal did not do either, the officer said, "Do you intend to do so?" Corporal Lees replied, "I intend to do neither"; the officer replied in words to this effect, I will fetch a file of men, or body of men, and shoot you down; the corporal replied, "You can do as you please"; shortly after that the officer left, and returned again with the Commandant; Corporal Lees with an escort challenged the Commandant, "Halt! who comes there?" the Colonel immediately replied, "Grand rounds"; corporal replied, "Advance grand rounds and give the countersign"; I then heard the Colonel call Sergeant Maddocks; he did not reply to his call; the Colonel then came down to the guard drawn up to receive him, considerably excited; as he came in front of the guard, the sergeant gave the order "Fix swords"; the Colonel made the remarks, "Damn you, Sergeant Maddocks, what are you about? What the devil do you mean—damn me, if you don't know your duty I'll teach you." The Colonel appeared greatly excited and put out, and spoke sharp to the guard to look to the front and not be looking about; he threatened at first to put the whole guard under arrest, altered his mind, and ordered Sergeant Maddocks and Corporal Lees to be put under arrest, which was done, and a new sergeant and corporal appointed.

Q.—Are you positive when I challenged that I made use of the word "Halt"?

A.—I will not swear.

Q.—Was I deprived of my arms, &c., at same time as the sergeant?

A.—Yes.

Q.—When I challenged, do you consider I did so in an insulting manner?

A.—No.

Q.—Who was the first to challenge the Colonel, Major Jaques, and Captain Campbell, as they approached the guard?

A.—The sentry.

Q.—Did I countenance the sergeant or direct him to disobey his superior officers in any manner or form?

A.—No.

Q.—When the Colonel and Major Jaques were in front of the guard, did Major Jaques make any charge or charges against the guard?

A.—Yes, to the effect that he had not been properly challenged—nothing more that I remember.

Q.—When Colonel Richardson called Major Jaques in front of the guard, did Major Jaques make any statement then to the Colonel with reference to the guard?

A.—If he made a statement I don't recollect the nature of it.

Q.—Was Captain Campbell sufficiently near to Major Jaques to hear the words "I'll shoot you down"?

A.—Yes.

Q.—When the Colonel called Sergeant Maddocks, did you hear any person call him and tell him that the Colonel wanted him?

A.—I heard you say "Sergeant Maddocks, the Colonel wants you."

Q.—What distance was I then from the guard?

A.—Not far—some few yards.

Q.—During the disturbance did you take notice of any of the guard or any officers near the guard under the influence of liquor?

A.—There was none to my knowledge.

By Major Jaques:—

Q.—Did you hear me call Sergeant Maddocks to the front?

A.—Yes.

Q.—Did he obey my order?

A.—No.

Q.—Did I take any part in the discussion between the Colonel and the guard?

A.—You may have done so, but I don't recollect.

Q.—Did you hear me address the guard at all while the Colonel was present?

A.—I don't recollect.

Q.—Did I answer the Colonel in a rational manner when he spoke to me?

A.—Yes, to the best of my recollection.

Q.—From what you saw of me did you come to any conclusion about my being tipsy?

A.—From the rash expression used by you in reference to the shooting down I should come to the conclusion that you were under the influence of something stronger than water.

Q.—Did you observe anything unsteady in my manner?

A.—No.

Q.—From my manner in front of the guard, close to you, would you in any way suppose me to be under the influence of drink?

A.—Your excited manner would lead me to this conclusion.

Q.—In what way did I show any excitement when in front of the guard?

A.—By your manner of speaking.

Q.—In speaking to whom?

A.—To the Colonel.

By the Court:—

Q.—Do you consider that any other of the officers besides Major Jaques was under the influence of liquor?

A.—Not that I am aware of.

The Court refused to take the answer of the witness as first given, not considering it an answer to the question. This was objected to by the accused, and note taken of the objection at his request, the Court having been cleared to decide.

By the Court, at request of accused:—

Q.—Do you consider when Colonel Richardson visited the guard that he was in his usual manner and senses?

A.—I considered him very excited.

ARTHUR STACEY,

Private of No. 1 Company, 1st Sydney Batt., V.R.

The Court adjourned at 11 p.m., to Wednesday, the 16th instant, at 7 p.m.

R. PEEL RAYMOND, Major,
President.

The Court opened pursuant to adjournment, at 7:15 p.m., the whole of the members being present.

Private Stacey, No. 1 Coy., 1st Sydney Battn., being before the Court, was asked, "Have you the copy of your private diary kept at the camp, and alluded to in your former evidence?"

A.—Yes.

Q.—Produce it?

A.—Copy produced. (*Exhibit marked B.*)

Q.—You have already been duly sworn in this case, and do you declare the copy produced to be a true extract?

A.—Yes.

The Court was here cleared to consider an objection raised by Major Jaques, that the witness should be called upon to produce the original as well as the copy.

The Court decided that the witness should not be called upon to produce the original, the attested copy being considered sufficient, that being all that he was directed to produce at the previous sitting.

George Wandby, Private, No. 4 Company, 1st Syd. Battn., being duly sworn, and the charges read over to him, was examined by the accused:—

Q.—When I challenged, do you consider I did so in an insulting and offensive manner?

A.—No.

Q.—When I was answered "rounds," after the second time, what was my reply?

A.—I believe, "What rounds might you be?"

Q.—Did I countenance Sergeant Maddocks or direct him to disobey his superior officers in any manner or form?

A.—Certainly not.

Q.—Who was the first to challenge Colonel Richardson, Major Jaques, and Captain Campbell, as they approached the guard?

A.—The sentry on guard.

Q.—Did you hear Major Jaques making use of any threat towards any member of the guard that night—if so, to whom, and state the words used?

A.—He said, "I'll shoot you down," to the corporal of the escort, Corporal Lees, and the escort.

Q.—Was this on the night of the 13th April, 1873, between the hours of 10 and 11 p.m., while on duty with the rear guard at Ham Common?

A.—Yes.

Q.—Was Captain Campbell sufficiently near Major Jaques to hear that threat?

A.—Yes.

Q.—Immediately after that threat, did you see Sergeant Maddocks come to me?

A.—Yes.

Q.—What question did he ask?

A.—He stepped some five paces forward, leaned forward, and said, "Shall I load?"; Corporal Lees said, "No, certainly not."

Q.—During the disturbance did you take notice of any person or persons under the influence of liquor?

A.—Yes.

Q.—Name the person or persons?

A.—I believe Major Jaques was under the influence of liquor, by his excited manner.

Q.—Any other person?

A.—None that I remember.

Q.—When Colonel Richardson called Sergeant Maddocks, did you hear any other person call him after the Colonel—if so, who was it?

A.—Yes; I distinctly heard Corporal Lees call him, and say the Colonel was calling him; he called him twice.

Q.—State the words the Colonel made use of as he was approaching the guard, and after he did approach?

A.—He asked who was the Sergeant of the guard, and was told Sergeant Maddocks was in charge. He then said, "Damn you, Sergeant Maddocks, why did you not answer me when I called you." He then came in front of the guard, and ordered Sergeant Maddocks to put Corporal Lees under arrest. He then said to Sergeant Maddocks, "if you don't know your duty I'll teach you something."

Q.—When Colonel Richardson and Major Jaques were in front of the guard, did Major Jaques make any charge or charges against the guard?

A.—He charged you with challenging him in an improper manner, and he said the guard was treating him with disrespect, and I positively swear that is false.

Q.—Was Sergeant Maddocks deprived of his arms, &c., at same time as myself?

A.—No.

Q.—What interval between the Sergeant and myself?

A.—20 minutes or half-an-hour.

Q.—Who arrested me?

A.—Sergeant Maddocks.

Q.—Who arrested Sergeant Maddocks?

A.—Private Jones.

Q.—Are you positive Private Jones arrested Sergeant Maddocks?

A.—Yes.

Q.—Did you see Sergeant-Major Hill there that night?

A.—Yes.

Q.—Did he come to the guard and state that he was ordered to arrest Sergeant Maddocks by order of the Colonel?

A.—I believe not.

By the Court:—

Q.—What distance was the escort from the guard when Major Jaques threatened to shoot it down?

A.—Some 50 or 60 feet.

Q.—What distance was Sergeant Maddocks from Corporal Lees when he said, "Shall I load?"

A.—Some four or five yards.

Q.—What tone of voice was the questioned asked, loud or otherwise?

A.—In an under tone of voice.

Q.—What distance were you from him?

A.—About two yards.

Q.—What position were you in on that night at the time above alluded to?

A.—I was standing outside the guard tent.

Q.—Have you any other reason for supposing Major Jaques was in liquor, except the excited manner before spoken of?

A.—No, only his appearance.

Q.—What do you mean by his appearance. Describe it?

A.—By the unsteady blustering way he came about the guard.

Q.—Did he walk steady?

A.—No, he did not; he walked as if he was under the influence of drink.

GEORGE WANDBY,

Private of No. 4 Company, Sydney Battalion.

Alfred Jones, private, No. 3. Company, 1st Sydney Battalion, V.R., being duly sworn, and the charges read over to him, was examined by the accused.

Q.—Were you a member of the rear guard, on the night of the 13th April last, at Ham Common?

A.—Yes.

Q.—When I challenged the officers do you consider that I did so in an insulting and disrespectful manner?

A.—No.

Q.—Did I countenance Sergt. Maddocks, or direct him to disobey his superior officers in any manner or form?

A.—No.

Q.—Who was the first to challenge Colonel Richardson, Major Jaques, and Captain Campbell, as they approached the guard?

A.—The sentry on the guard tent.

Q.—Did you hear Major Jaques make use of any threat towards any member of the guard on that night; if so, to whom, and state the words used?

A.—To you and the escort, and the words used were "I'll shoot you down."

Q.—Was Captain Campbell sufficiently near to hear that threat?

A.—Yes.

Q.—Immediately after that threat did you see Sergeant Maddocks come to me; if so, did he ask any question, and what were the words?

A.—Yes; and the words were "shall I load."

Q.—What was my reply?

A.—Certainly not.

Q.—During the disturbance did you take notice of any person or persons under the influence of liquor?

A.—Yes.

Q.—Name the person or persons?

A.—Major Jaques and the Commandant.

Q.—When Colonel Richardson called Sergeant Maddocks, did you hear any other person call him; if so, who was it and what were the words?

A.—You called him and told him the Colonel wanted him.

Q.

- Q.—State the words the Colonel made use of as he approached the guard, and after he did approach?
 A.—He called for Sergeant Maddocks once or twice. Sergeant Maddocks refused to obey him. The Colonel then came to the front of the guard to Sergeant Maddocks and said "Damn you, Sergeant Maddocks, damn you; I'll teach you to know your duty. What the devil do you mean by it?"
 Q.—When Colonel Richardson and Major Jaques were in front of the guard, did Major Jaques make any charge against the guard; if so, what was it?
 A.—He charged the guard with being disorderly, charged the corporal for not admitting him, and Sergeant Maddocks also with disobedience of orders.
 Q.—Was Sergeant Maddocks deprived of his arms, &c., at same time as myself?
 A.—No.
 Q.—What interval was there between the Sergeant's arrest and mine?
 A.—About half an hour.
 Q.—Was I ordered to be placed in the prison tent, and by whom?
 A.—Yes, by Sergeant Maddocks.
 Q.—Who directed Sergeant Maddocks to place me there?
 A.—It was one of the officers—it might have been Major Jaques or the Colonel, but there was so much excitement I cannot tell.
 Q.—Who deprived me of my arms and accoutrements?
 A.—Myself.
 Q.—Did you unfasten my belts?
 A.—Yes.
 Q.—Did any person lay hold of me for the purpose of pushing me into the prison tent?
 A.—Yes. Sergeant Maddocks.
 Q.—During the foregoing, when being deprived of my arms and accoutrements and ordered into the prison-tent did I make any reply—and what was it?
 A.—Yes; you told the sergeant the prison-tent was no place for you, being a non-commissioned officer, your company tent was where you ought to be sent to.
 Q.—Did I make use of those words in a respectful manner to the sergeant?
 A.—Yes, very much so.
 Q.—Who arrested Sergeant Maddocks?
 A.—Sergeant-major Hill and several of the staff-sergeants came down.
 Q. *By the Court.*—What made you think Major Jaques and the Commandant were the worse for liquor?
 A.—By their excited manner, and rash talk, and ridiculous conversation.
 Q.—What did they say?
 A.—By threatening to shoot down, and do you allow me to pass, and the other altercation that passed between them and the escort.
 Q.—Did they walk steady?
 A.—I could not say with regard to their walking.

ALFRED JONES,

Private No. 3 Company, 1st Sydney Battalion.

The accused here closed his case, and asked for an adjournment until Friday next, at half-past 4 p.m., to prepare his statement, at same time saying that he wished the Court to understand that he had several other witnesses; but not wishing to prolong the proceedings, as their testimony would be precisely the same as preceding witnesses, he would close his case.

The Court adjourned at 9:35 p.m. accordingly, until Friday at 4:30 p.m.

R. P. RAYMOND, Major, President.

The Court re-assembled pursuant to adjournment on Friday, the 19th July, at 4:40 o'clock, p.m.
 Present,—

President:
 Major RAYMOND.

Members:
 Major SHEPHERD,
 Major GOODLET.

The accused having been called into Court, handed in the statement annexed, and copies of two letters from Private John A. W. Campbell, No. 2 Co., Sydney Battalion, and dated Wednesday night, and April 14, 1873, respectively; also document signed by Quartermaster Sergeant Finch, notifying his appointment as lance corporal of No. 1 Company Sydney Battalion. Having been asked by the Court if he desired to make any verbal statement, said, with reference to extract 5 (of the charges), I never made use of the word "proper" nor did I even say or intend to infer that any of the officers were under the influence of liquor, and I should not have said so if they were. With reference to the above remark, I was not the first to put that question. It was put to several of the first witnesses examined by the President of the Court.

JAMES LEES,

Lance-corporal, No. 1 Company, Sydney Battalion, Volunteer Rifles.

The Court hereupon adjourned until further orders according to Instructions at 5:5 p.m.

R. PEEL RAYMOND, Major, President.

1st Sydney Battalion Office, 19th July, 1873.

P. L. C. SHEPHERD, Major,
 JOHN GOODLET, Major, Suburban Battalion. } Members.

The Court will reassemble for the purpose of enabling Major Jaques to examine Private Stacey, concerning his diary, as also call witnesses. Captain Baynes will also attend and examine witnesses in my behalf; after which, the Court will record an opinion as to the whole of the case submitted for investigation, with the exception of that portion relating to myself. I may here remark, that the Court should have noted on the face of the proceedings all rejected questions, as also incidental transactions—such as the receipt, for instance, of Major Jaques' two letters of the 17th July, and any memo. having reference to Lance-corporal Lees' statement of having received no official copy of the charges.

J.S.R., Lieut.-Colonel,
 Commandant
 The

12/8/73.

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The Court reassembled in accordance with foregoing order from the Commandant, at the 1st Battalion office, on Wednesday, the 20th August, 1873, the whole of the members being present.

Previous to proceeding, Lance-Corporal Lees wished to have it stated, as a grievance, that the inquiry has been so protracted, that he had, setting aside other inconveniences, suffered pecuniary loss in consequence of the frequent adjournments, this being now the fifteenth occasion on which he had attended.

Major Jaques being duly sworn was examined by Captain Baynes on behalf of the Commandant.

Q.—Were you present when the Commandant went down to the guard on the night of the 13th April last, at Ham Common?

A.—I was.

Q.—Who challenged him when he approached the post?

A.—I cannot say who positively, I believe it was Lance-Corporal Lees from the voice.

Q.—Did the Commandant make use of such an expression as “Damn you Sergeant Maddocks”?

A.—Not that I heard.

Q.—Were you sufficiently near to have heard everything that passed?

A.—Yes; until Lance-Corporal Lees was put under arrest, when the Colonel directed me to go and get a fresh guard.

Q.—Could such an expression as “Damn you Sergeant Maddocks,” have been uttered without you hearing and remembering it?

A.—I don't believe it could.

Examined by Lance-Corporal Lees:—

Q.—Did you hear the sentry on No. 1 post challenge that night?

A.—I heard somebody challenge, but whether it was the sentry on No. 1 post I cannot say.

Q.—What brings you to the conclusion that I challenged the Commandant?

A.—From the direction of the voice and the tone.

Q.—Was the sentry in the same direction from the Colonel as myself?

A.—There were others standing near you, but whether the sentry was one of them or not I cannot say.

Q.—Do you know the sentry that was on No. 1 post at that particular time, and are you acquainted with his tone of voice?

A.—I do not, but has I had been speaking to you before, and hearing the challenge, I considered the same to be in your voice.

Q.—Did not the same sentry challenge you as you approached the guard?

A.—I think not.

Q.—Will you positively swear that the Commandant did not make use of these words “Damn you Sergeant Maddocks”?

A.—I swear I never heard the Colonel make use of those words on that occasion.

Q.—Will you swear that the Colonel did not make use of those words while you were present, and in a loud and distinct tone of voice?

A.—No; I never heard those words, and I must have heard them if he had said them in a loud and distinct voice.

THEO. JAS. JAQUES,

Major, Sub. Battn., V.R.

* Captain Campbell, No. 1 Company, D.E. Highlanders, being called in, was examined by the Court.

Q.—You have already been sworn in this inquiry?

A.—I have.

Examined by Captain Baynes on behalf of the Commandant:—

Q.—Were you present when the Commandant went down to the guard, on the night of the 13th April last, at Ham Common?

A.—I was.

Q.—Who challenged him when he approached the post?

A.—Corporal Lees.

Q.—Did the Commandant make use of such an expression as “Damn you Sergt. Maddocks”?

A.—He did not.

Q.—Were you sufficiently near to have heard everything that passed?

A.—I was.

Q.—Could such an expression as “Damn you Sergt. Maddocks” have been uttered without you hearing and remembering it?

A.—I don't think so.

Examined by Lance-Corporal Lees:—

Q.—Will Captain Campbell positively swear that I was the first to challenge the Commandant as he approached the rear guard on that night?

A.—Most positively, as far as I noticed.

Q.—Was I the first that challenged the Commandant as he approached the guard?

A.—Yes, as I have already stated.

Q.—Were you of the officers on duty that night?

A.—I was Captain of the day, left half Brigade.

Q.—How many sentries were on post duty, when you and the Commandant visited the guard?

A.—I could not say.

Q.—What did you visit the guard for?

A.—I visited as rounds.

Q.—For what purpose?

A.—To see that every one attended to their duty.

Q.—Were the sentries not on duty?

A.—One sentry was on duty when I approached, I cannot say any were on duty when the Colonel and I approached.

Q.—Did you hear the sentry on No. 1 post challenge?

A.—No.

Q.—Will you positively swear that the sentry did not challenge the Commandant as he approached?

A.—No, certainly not, I will not swear.

Q.—Will you positively swear that the Commandant did not make use of those words, in a loud and distinct tone of voice, as he approached the guard, “Damn you Sergt. Maddocks”?

A.—Yes, most positively.

Q.

Q.—Did the Colonel make use of the words “ Damn you ” ?

A.—Yes.

Q.—To whom did he allude with the word you ?

A.—I can't say.

By the Court :—

Q.—What were the words used by the Commandant as he approached the guard, after passing the sentry ?

A.—I can't undertake to say.

Q.—Did he say “ Damn you, what did you mean by that sort of conduct ; you'll fix swords to me—will you ; you think you are doing a fine thing, but I will teach you your duty ” ?

A.—I don't think he said that.

Q.—Will you swear that the Commandant did not make use of those words ?

A.—No ; I will not swear it.

Q.—When did the Commandant make use of the words, “ Damn you ” ?

A.—Just shortly after he came in front of the guard. When the Colonel came to the guard he was very much excited, but immediately afterwards cooled down, and asked Major Jaques to state the cause of his complaint.

Examined by Lance-Corporal Lees :—

Q.—While the Colonel was approaching the guard, and after he did approach, whom did he address ?

A.—When approaching the guard, he addressed Sergeant Maddocks. I think he called Sergeant Maddocks to the front, three times. It was when Sergeant Maddocks refused to come that the Colonel appeared to me to become excited. When he approached the guard, I considered his remarks were intended for all of them.

Q.—When the Colonel was excited, did he say or do anything ?

A.—Yes.

Q.—What were the words he made use of, and what did he do ?

A.—“ What does all this mean ? ” I remember the words “ damn you ” being used, but will not undertake to say any more. He walked from where the challenging party was to the front of the guard. After hearing Major Jaques' complaint, he walked back to his tent.

Q.—You swear that the Colonel cooled down. Did he direct me to be made a prisoner before he cooled down or after ?

A.—After.

Q.—What do you mean by cooling down ?

A.—Subsiding from a state of excitement into a state of calmness.

By the Court :—

Q.—In what terms did Sergeant Maddocks refuse to advance when called upon by the Commandant ?

A.—By inaction, not by terms.

Q.—Are you sure he heard the Commandant's order when he refused to advance ?

A.—I am sure he must have heard it.

JOHN CAMPBELL, Capt. No. 1 Highlanders.

Sergeant Turton, of the Engineers, being duly sworn, was examined by Captain Baynes, on behalf of the Commandant :—

Q.—Your name and rank ?

A.—Joseph Turton, Sergeant of the Volunteer Engineer Corps.

Q.—Were you present when the Commandant went down to the guard, on the night of the 13th April last, at Ham Common ?

A.—I was.

Q.—Who challenged him when he approached the post ?

A.—Corporal Lees.

Q.—Did the Commandant make use of any such expression as “ Damn you, Sergeant Maddocks ” ?

A.—Not that I heard.

Q.—Were you sufficiently near to have heard everything that passed ?

A.—Yes.

Q.—Could such an expression as “ Damn you Sergeant Maddocks ” have been uttered without you hearing and remembering it ?

A.—It never could have been uttered without my hearing it, I could not answer for remembering it.

Examined by Lance-Corporal Lees :—

Q.—Are you a paid member of the volunteers ?

A.—I am not.

Q.—Who asked you to come and give evidence at this Court ?

A.—I received notice to-day from the Brigade Office to attend ; the notice I believe was signed by Capt. Baynes.

Q.—Did any person speak to you with reference to this matter previous to your receiving that notice ?

A.—Yes.

Q.—Name the person or persons ?

A.—Sergeant-Major Hill and Colonel Richardson.

Q.—What night of the week did this happen ?

A.—It was on Monday night, I am sure.

Q.—What time at night ?

A.—About 8 o'clock.

By the Court :—

Q.—How were you present, and in what capacity on the occasion alluded to, when it is alleged that the words “ Damn you ” were used ?

A.—I was merely walking along with Staff-Sergeant M'Gregor

Q.—Did you hear Sergeant Maddocks, in command of the rear guard, called to the front by the Commandant ?

A.—I did.

Q.—More than once ?

A.—Yes ; twice or three times.

Q.—With what result ?

A.—Sergeant Maddocks took no notice, nor made any answer.

JOSEPH TURTON,
Sergt. Engineer Corps.
Private

Private Stacey, of No. 1 Company, 1st Battalion, Volunteer Rifles, being called in, was examined by the Court:—

Q.—You have already been sworn in this case?

A.—Yes.

Q.—Will you produce the original of your diary, to be compared with the copy of that portion supplied to the Court on a former occasion?

Diary produced, and being compared with the copy, it was found to be a true extract.

Examined by Major Jaques:—

Q.—Were all the entries in your diary made by yourself, and at the time of their occurrence?

A.—They were made by myself, but after the camp had broken up and my return to Sydney.

Q.—Were the entries made of actual facts, and of your own knowledge?

A.—Yes.

Q.—Were you assisted by anybody in making the entries?

A.—No one.

Q.—Did any member of the guard know you were keeping a diary, and did they suggest any entry?

A.—None.

Q.—Have the entries been read over by you to any person, or had they an opportunity of reading them?

A.—They have.

Q.—Have any of the other witnesses had the entries read to them?

A.—I have read extracts of the diary to some of them, but after they had given their evidence.

Q.—Have you given publicity to those entries?

A.—None whatever, except reading portions after they had given their evidence.

Q.—Has Corporal Lees heard the diary read, or has he had an opportunity of reading the entries?

A.—Only some extracts from it.

The Court hereupon adjourned at 11.15, to Wednesday, the 27th, at 7.30 p.m.

R. PEEL RAYMOND, Major,
President of the Court, 20/8/73.

The Court re-opened at 7.45, pursuant to adjournment, all the Members being present,—

27TH AUGUST, 1873.

Private Stacey's examination being proceeded with by the accused.

Examined by Lance-Corporal Lees:—

Q.—Have I seen and read a portion of your original diary since it was read by Major Goodlet to this Court?

A.—No.

Q.—Will you distinctly swear, that after your leaving this Court on Wednesday night last, that I did not read a portion of your original diary?

A.—No. Now, that I come to recollect, I think you did.

Q.—Did Major Goodlet read the whole as it is written by you with reference to that guard?

A.—Yes.

Q.—Did you mark off any portion of it not to be read to this Court by Major Goodlet?

A.—Yes.

Q.—Will you produce your original diary?

A.—No.

Q.—Have you got it in your possession?

A.—Yes.

Q.—Will you read that portion of it that Major Goodlet passed over?

A.—No.

Q.—Then Major Goodlet did pass over a portion of that diary?

A.—Yes; but that portion has nothing to do with what happened at the rear guard, and was merely my own private comment.

Q.—Did that portion refer to the officers that visited the rear guard on that occasion?

A.—Yes.

Q.—Is not the whole of your original diary your own private comment?

A.—It is my own composition.

The accused at this point requested that the original diary should be demanded from the witness and read to the Court. The Court was cleared, and debated, and after deliberation arrived at the opinion that the diary should be produced; but consider they have no power to compel its production.

The witness stated his objection to produce the diary consisted in the fact that all that took place with reference to the rear guard on that night is contained in the extract already furnished; whatever else is stated has nothing to do with the circumstances, but merely his private comment on them.

By the Court:—

Q.—After above opinion of the Court, do you still decline to produce the original diary?

A.—Yes.

By Lance-Corporal Lees:—

Q.—Are you not summoned to this Court for the purpose of producing your original diary, and comparing it with the extract sent in?

A.—Yes.

By the Court:—

Q.—Is the portion of your diary said to have been passed over by Major Goodlet contained in the copy of extract furnished to this Court?

A.—No. The whole read by Major Goodlet is contained in the copy before the Court.

ARTHUR STACEY, Private, No. 1 Co. S.B.V.R.

Lieut.

Lieut. Wilson called in and examined, being duly sworn.

By the Court :—

Q.—Your name and rank ?

A.—James Wilson, Lieutenant and Adjutant Suburban Battalion, Volunteer Rifles.

By Major Jaques :—

Q.—Were you present at the late encampment in the capacity of Adjutant of the Suburban Battalion, Volunteer Rifles ?

A.—Yes.

Q.—Had you daily, if not almost hourly, opportunity of observing me while at the encampment ?

A.—Yes.

Q.—Did you at any time observe me at all under the influence of drink ?

A.—No.

Q.—Did you remember my applying to you on the subject of the guard challenging, just before my going to visit the guard on the night of the 13th April last ?

A.—Yes.

Q.—Was I at the time perfectly sober and in my proper senses ?

A.—Yes.

Examined by Lance-Corporal Lees :—

Q.—Are you a paid member of the Volunteer Staff ?

A.—Yes.

Q.—Who summoned you to give evidence at this Court ?

A.—I received the summons from the President of the Court.

Q.—What part of the camp was the Left-Quarter Guard posted ?

A.—I cannot define its exact position.

Q.—You, as a paid member of the Volunteer Force, can you name where the Left-Quarter Guard was posted ?

Question disallowed, as not being relevant.

Q.—Were you in the presence of Major Jaques during the whole time of the encampment ?

A.—I saw him daily, and almost hourly, while were in camp.

Q.—Did you see him about 11 p.m. on the night of 13th April last ?

A.—I cannot say the hour to a minute, but it was between 10 and 11, just previous to his visiting the guard.

Q.—What night of the week was this on ?

A.—I think it was Sunday.

Q.—Will you distinctly swear that you were not in a certain public house in Richmond, between the hours of 9 and 11 that same night ?

A.—Yes.

Q.—Is Major Jaques a major in your battalion ?

A.—Yes.

By Major Jaques :—

Q.—Is your evidence at all biased, on account of my being a major of the battalion ?

A.—No.

JAMES WILSON, Lieut.,
Adjutant Suburban Battalion, Volunteer Rifles.

Captain Cameron, called in and being duly sworn, was examined.

By the Court :—

Q.—Your name and rank ?

A.—Ewen Wallace Cameron, Captain, Balmain Volunteer Rifles.

By Major Jaques :—

Q.—At the late encampment at Ham Common, had you frequent opportunity of observing me ; did you, during that time, observe me in the slightest degree under the influence of liquor ?

Question disallowed, and Major Jaques desired to confine himself to the occurrences of 13th April.

Q.—Do you remember seeing me at the encampment on the night of the 13th April last ?

A.—I saw you every day and every night while we were at Ham Common encampment, but do not recollect the particular night you speak of.

Q.—Did you on any of these occasions observe me at all under the influence of liquor ?

A.—I never did.

Q.—Had I upon the night of the 13th April, been under the influence of liquor ; would you not have observed it at any time you saw me, or were conversing with me on that evening ?

A.—I should.

Major Jaques desired to have noted that the Court disallowed evidence as to his general character for sobriety, and as to his conduct and behaviour towards the Volunteers during the whole time he has been connected with the force. The Court informed Major Jaques that they would receive any evidence he produced with reference to the occurrences of the 13th April.

Examined by Lance-Corporal Lees :—

Q.—Did you see Major Jaques about 11 o'clock on Sunday night, 13th April, at Ham Common, in front of the rear guard ?

A.—No.

By Major Jaques :—

Q.—Did you see me about 10 o'clock of the 13th April, when we were conversing about answering the guard challenge ?

A.—I cannot speak as to the hour, but I saw you frequently before 12 on Sunday night, and after that hour. I remember it from the circumstance of Major Wilson's attack being after 12 o'clock.

By

By Private Lees :—

Q.—What hour in the morning did Major Wilson attack the camp ?

A.—About 4 o'clock in the morning.

By Major Jaques :—

Q.—Were you not on the alert for the attack from about 12 until the attack took place ?

A.—I was.

J. W. CAMERON, Captain,
Balmain V. Rifles.

Major Raymond called in, and, being duly sworn, was examined.

By the Court :—

Q.—Your name and rank ?

A.—Robert Peel Raymond, Major Com. 1st Sydney Battn., Volunteer Rifles.

By Major Jaques :—

Q.—Do you remember my coming to your tent on the night of the 13th April, and telling you that the Colonel wanted you to send a fresh guard to the guard position, at the rear of the Colonel's tent ?

A.—Yes, you came to the mess tent, where I was.

Q.—Did you observe anything in my manner that would lead you to suppose that I was under the influence of liquor ?

A.—No, certainly not.

Q.—In my conversation with you did I speak in a calm and rational manner ?

A.—Yes.

Lance-Corporal Lees :—

Q.—Did Major Jaques drink any wines or spirits in your presence on that night ?

A.—Yes. I asked Major Jaques to have something at the mess tent ; he at first refused ; but I said as it was his first visit to our mess tent that I could not think of letting him go without having something to drink, when he took something.

Q.—Were there any other members of the Volunteer Force present at the time in the mess tent ?

A.—Yes ; several of the officers.

Q.—Did you see Major Jaques about 11 o'clock on the Sunday night, at Ham Common in front of the rear guard ?

A.—No.

Re-examined by Major Jaques :—

Q.—Did I not state that I had come from the guard tent with the Colonel's directions to send the fresh guard that I had before spoken of ?

A.—You brought me instructions from the Colonel for a fresh guard, but I do not recollect you saying anything about the guard tent.

Q.—Do you recollect about what hour this occurred ?

A.—No ; but it was pretty late in the evening.

Q.—Did you send a guard or portion of a guard down ?

A.—I gave instructions to the Adjutant to carry out the Colonel's orders received through you.

R. PEEL RAYMOND, Major,
Commanding 1st Sydney Battalion, V.R.

Major Goodlet, being duly sworn, was examined by the Court :—

Q.—Your name and rank ?

A.—John Henry Goodlet, Major, commanding Suburban Battalion Volunteer Rifles.

By Major Jaques :—

Q.—Were you present in that capacity at Ham Common on the night of 13th April, last ?

A.—Yes.

Q.—Did not you and I occupy the same tent on that night ?

A.—No ; I was on duty all that night.

Q.—Did you see me early on the following morning ?

A.—I saw you several times between 12 o'clock and daylight.

Q.—Was I tipsy or not on any of the occasions on which you saw me ?

A.—No, you were not.

JOHN H. GOODLET, Major,
Commanding Suburban Battalion.

Private E. Vickery, being called in and duly sworn, examined.

By the Court :—

Q.—Your name and rank ?

A.—Ebenezer Vickery, Private, No. 2 Company, 1st Sydney Battalion, V.R.

By Lance-Corporal Lees :—

Q.—Were you a member of the Rear guard on the night of 13th April last, at Ham Common ?

A.—I was.

Q.—Who was the first to challenge the Commandant as he approached the rear guard ?

A.—The sentinel on duty at the side of the guard.

Q.—Did Colonel Richardson call the Sergeant of the guard twice ?

A.—Yes.

Q.—What distance was I from the Sergeant when the Colonel called him ?

A.—About 25 yards.

Q.—Did I call the Sergeant of the guard twice and tell him the Colonel wanted him ?

A.—You called him, but I don't know how many times.

Q.—What words did the Colonel make use of as he approached the guard ?

A.

A.—To Sergeant Maddocks, "Why did you not come out when I called you; what the Devil do you mean by all this; Damn you, Sergeant Maddocks, I'll teach you your duty," and threatened to place the whole guard under arrest; he then told some one to take Corporal Lees under arrest, and ordered Sergeant Maddocks to give a list of the guard within a quarter of an hour, and to consider himself under arrest.

Q.—While the Colonel was in front of the guard, did he make use of these words—"Damn you, Sergt. Maddocks, what the Devil do you mean, I'll teach you to fix swords on me; damn you, I'll teach you your duty"?

A.—Words to that effect, but I could not swear to the exact words.

Q.—Was this on the Sabbath night?

A.—Yes.

Q.—Did you take notice of any person or persons in front of the guard under the influence of liquor?

A.—No, I did not notice it.

By the Court :—

Q.—Did Corpl. Lees also challenge the Commandant as well as the sentry?

A.—I believe not.

E. VICKERY,

Private, No. 2, S.B.V.R.

The accused here handed in a list of witnesses he wished summoned to attend this Court (list attached marked)

The Court adjourned at 11.5 p.m. to Friday 29th inst. at 7.30 p.m.

R. PEEL RAYMOND, Major,

President.

The Court met pursuant to adjournment at 7.35. p.m. on the 29th instant, the whole of the Members being present.

Major Jaques, being recalled by the accused, was examined by the Court.

Q.—You have already been sworn in this case?

A.—I have.

By Lance-Corporal Lees :—

Q.—After I was made a prisoner, did you visit the right flank guard?

A.—I did.

Q.—What was your reply to the challenge of the Corporal of that guard?

A.—I can't say positively, but I believe it was "Grand rounds."

Q.—Was your reply when I challenged you, "Grand rounds"?

A.—No it was "Rounds."

Q.—Will you please state the reason that you replied to the challenge, after I was made a prisoner, "Grand rounds"?

A.—Before visiting the guard in charge of Sergt. Maddocks, I consulted with the Adjutant of the Suburban Battn. as to the proper method of answering the challenge. I was told, "Rounds," and the book was produced as an authority. I consequently replied to the first challenge, with the word "Rounds," being told by the Colonel subsequently that he thought the alteration of the reply to the challenge was in Brigade Order that I should have replied, "Grand rounds"; I consequently did so in visiting my next guard.

Q.—When I challenged you, if you had have answered "Grand rounds," do you believe that this disturbance would have taken place?

A.—Had there been a proper reply, no disturbance would have occurred whatever.

Q.—Are you aware that Sec. 19, Part 7, has not been revised since the 1870 book has been printed?

A.—I can't say, the authority produced at the Camp distinctly shewed that the reply should be "Rounds."

Q.—Was the 19th sec. as laid down in the book pointed out to you?

A.—I cannot recollect.

THEO. J. JAQUES,

Major, Sub. Batt., V.R.

Private Hawkins, No. 1 Company, 1st Battalion, V.R., called in, and having been duly sworn, was examined by the Court.

Q.—Your name and rank?

A.—Peter Hawkins, private, No. 1 Compy., 1st Sydney Battalion, V.R.

By Lance-Corporal Lees :—

Q.—Were you a member of the rear-guard on the night of the 13th April last, at Ham Common?

A.—I was.

Q.—Who was the first to challenge the Commandant as he approached the guard?

A.—No. 1 sentry.

Q.—State the words that Colonel Richardson made use of as he was approaching the guard?

A.—He called Sergt. Maddocks twice or three times. Sergt. Maddocks replied the third time the Colonel called him, and said he did not know who he was, or was not supposed to know who he was. When Sergt. Maddocks would not come forward, he advanced; as he was advancing he said, "Damn you Sergt. Maddocks, if you don't know your duty I'll teach you." He then approached the guard and gave orders for Lance-Corpl. Lees and Sergt. Maddocks to be put under arrest.

Q.—While the Colonel was in front of the guard, and Sergt. Maddocks ordered the guard to fix swords, did the Colonel make use of these words, "Damn you, Sergt. Maddocks, what the Devil do you mean; damn you, I'll teach you to fix swords on me"?

A.—He did.

Q.—Was Major Jaques and Captain Campbell standing in front or near the guard at the same time?

A.—Yes.

Q.—Did you observe any person or persons in front of that guard under the influence of liquor?

A.—Yes.

Q.—Name the person or persons?

A.—Major Jaques. I did not notice anybody else.

By

By Major Jaques :—

- Q.—Where not the words used, as the Colonel approached after being challenged, “What the devil is all this nonsense about”?
- A.—Those words were used.
- Q.—Was it before or after he found out who was Sergeant Maddocks that he addressed him personally?
- A.—Before.
- Q.—You say that I was tipsy—what opportunity had you of judging?
- A.—From seeing you before, at the time, and afterwards, and in the manner in which you carried yourself, I came to the conclusion at once that you were under the influence of liquor.
- Q.—Did I speak to the Colonel in a rational manner?
- A.—No.
- Q.—In what way did I speak to the Colonel?
- A.—Excited at first, but cooler afterwards.
- Q.—Did I at once reply to any question put me, or did I hesitate, as if under the influence of drink?
- A.—You hesitated a little—not to all questions.
- Q.—Did I fall down or stagger about?
- A.—You did not fall down, but staggered about; you were very nearly falling once or twice?
- Q.—Do you swear to all these circumstances positively?
- A.—Yes.
- Q.—And I was the only one you observed under the influence of liquor?
- A.—Yes.
- Q.—Have you been prompted by any one to give this style of evidence?
- A.—No one.
- Q.—Had you been drinking on this evening, viz., 13th April last, so as to effect your observation?
- A.—I had one glass of ale from 10 o'clock on Sunday morning, until 10 o'clock on the Monday morning.

By the Court :—

- Q.—Your address and occupation?
- A.—No. Papeete Terrace, Forbes-street, Woolloomooloo; carpenter.

PETER HAWKINS,
Private, No. 1 Compy., S.B.V.R.

Private Dickson, No. 1 Compy., 1st Sydney Battalion, being called in and duly sworn, was examined by the Court.

- Q.—Your name and rank?
- A.—Thomas James Dickson, Private, No 1 Company, 1st Sydney Battalion, V.R.

By Lance-Corporal Lees :—

- Q.—Were you a member of the rear-guard on the night of 13th April last, at Ham Common?
- A.—Yes.
- Q.—Who was the first to challenge the Colonel as he approached the guard on that night?
- A.—I can't say.
- Q.—As the Colonel approached the guard, state the words he made use of?
- A.—He was first challenged by some one, and he answered “Grand Rounds”; he called Sergeant Maddocks to the front, I think three times, and he asked Sergeant Maddocks why he did not come to the front when he called. He then said, after Sergeant Maddocks had replied, “Damn, I'll teach you your duty.” There was further conversation, and the Colonel threatened to place the whole of the guard under arrest. He then, a short time afterwards, ordered Sergeant Maddocks to place Corporal Lees under arrest, and also told Sergeant Maddocks to consider himself under arrest.
- Q.—When Sergeant Maddocks ordered the guard to fix swords what did the Colonel say to the Sergeant?
- A.—I don't remember what it was, but it was to the effect, “What do you mean by this”?
- Q.—Did I call the Sergeant and tell him that Colonel Richardson wanted him?
- A.—Yes, when Colonel Richardson was calling him.
- Q.—Was Major Jaques and Captain Campbell sufficiently near to have heard all this?
- A.—I believe Major Jaques was, but I could not say as to Captain Campbell.

By Major Jaques :—

- Q.—Did you observe any of the officers, at the time, under the influence of liquor?
- A.—I did not. It was dark at the time, and I had no means of judging.
- Q.—Was private Hawkins standing near you at this time?
- A.—I could not say where he was standing.
- Q.—How far were you from me when I was standing in front of the guard with the Colonel?
- A.—I think about ten yards.
- Q.—Had I been staggering about in an intoxicated manner would you not have observed it?
- A.—If it had been a very staggering manner I should have observed it?
- Q.—Did you hear the conversation passing between myself and the Colonel, and was I standing close to him?
- A.—I did hear a conversation between you and the Colonel, but did not notice how close you were to him?
- Q.—Did you not see me standing beside the Colonel when you observed him?
- A.—I saw you, but don't know how close you were to him, but believe you were pretty close to him?

By Lance-Corporal Lees :—

- Q.—I believe you know Major Jaques for some time?
- A.—Not personally, but remember him as Major of the Suburban Battalion, and also as Registrar-General.
- Q.—While he was in front of the guard on that night, or near the guard, did he appear in his usual mode and manner?
- A.—No, he seemed very excited.

By

By the Court :—

Q.—Do you think this excitement was caused by the dispute that had taken place, or from any other cause?

A.—I could not say what it was caused by.

At request of Major Jaques :—

Q.—Have you ever known Major Jaques to be under the influence of liquor?

A.—No.

THOMAS J. DICKSON,
Private No. 1 Company, S.B.V.R.

Private Shoultz, No. 3 Company, 1st Sydney Battalion, Volunteer Rifles, called in, and being duly sworn, was examined by the Court :—

Q.—Your name and rank?

A.—Walter Shoultz, private, No. 3 Company, 1st Sydney Battalion, Volunteer Rifles.

By Lance-corporal Lees :—

Q.—Were you a member of the rear guard on the night of 13th April last, at Ham Common?

A.—Yes.

Q.—Who was the first to challenge the Commandant as he approached that guard?

A.—The sentry.

Q.—As the Colonel was approaching state, as short as possible, the words he made use of?

A.—“Sergeant Maddocks, come here;” when the sergeant did not come forward, when called two or three times, he came to the front of the guard and said, “if you don’t know your duty, I’ll teach you;” making use of the expression “Damn you,” at the same time.

Q.—When Sergeant Maddocks disobeyed the Colonel, did I request him to go to the Colonel?

A.—Yes.

Q.—Was Major Jaques and Captain Campbell sufficiently near to have heard all that you have now explained?

A.—I did not notice.

Q.—If they were near the guard at the time, do you believe they could have heard the words that Colonel Richardson made use of?

A.—Yes.

By Major Jaques :—

Q.—Did you observe myself and Captain Campbell when we came to the front with the Colonel?

A.—No, not when the Colonel was there.

Q.—How close were you standing to Private Hawkins when the Colonel came to the front of the guard?

A.—I cannot say, as I did not see him.

Q.—Was he one of the guard turned out to receive the Colonel, and were you not standing altogether?

A.—I cannot say whether Private Hawkins was one of the guard.

WALTER SHOULTZ, Private,
No. 3 Company, S.B.V.R.

Private Dougherty, called in and being duly sworn, was examined by the Court :—

Q.—Your name and rank?

A.—James Dougherty, No. 3 Company, 1st Sydney Battalion, V.R.

By Lance-corporal Lees :—

Q.—Were you a member of the rear guard on the night of 13th April last, at Ham Common?

A.—Yes.

Q.—Who was the first to challenge Colonel Richardson as he approached the guard on that night?

A.—Corporal Lees (yourself).

Q.—Was I out with an escort at that time?

A.—Yes, you were.

Q.—Did the sentry on No. 1 post challenge before I went out?

A.—I believe he did, to the best of my opinion.

Q.—While the Colonel was walking towards the guard, state, as short as possible, the words he made use of?

A.—He called Maddocks, the Sergeant of the guard, the Sergeant refused to go, after being called three times, when he did not come, the Colonel advanced to him, the Sergeant then ordered us to fix bayonets, he also ordered us, to the best of my opinion, to charge, but we did not. The Colonel then ordered Corporal Lees to be stripped of his accoutrements and taken off. Before this he told Sergeant Maddocks he would let him know something, but what it was I do not recollect.

Q.—Did the Colonel make use of any bad language in the hearing of all those that were present on that occasion?

A.—I did not hear him.

Q.—When the Colonel called the Sergeant, did I call and request him to go to the Colonel?

A.—I did not hear you.

By Major Jaques :—

Q.—Were you with the guard when the Colonel approached it?

A.—Yes.

Q.—Do you know private Hawkins, and did he fall in with the guard?

A.—I do not know him.

Q.—Did you observe the officer who accompanied the Colonel when he approached the guard?

A.—Yes, you and Captain Campbell were with him.

- Q.—Did you observe any of them under the influence of liquor?
 A.—No, I did not.
 Q.—Had the Colonel made use of bad language in an audible tone, would you not have heard it?
 A.—He might have done so without my hearing it.
 Q.—How far was the Colonel and myself standing from the front of the Guard when this occurred?
 A.—About a yard.

By Lance-corporal Lees :—

- Q.—Will you positively swear that the Colonel did not make use of any bad language?
 A.—I will not.
 Q.—Did the Colonel and Major Jaques appear to be excited?
 A.—They did.

his
 JAMES x DOUGHERTY.
 mark.

Witness—R. PEEL RAYMOND.

The Court adjourned at 10.45, to next Friday, the 5th September, at 7.30 p.m.

R. PEEL RAYMOND, Major,
 President.

The Court re-assembled pursuant to adjournment, on Friday, the 5th September, 1873, at 7.40 p.m., the whole of the members being present.

Capt. Wells, No. 1 Co., 1st Sydney Battn., Vol. Rifles, being called, was examined by the Court, and being duly sworn.

- Q.—Your name and rank?
 A.—John Wells, Capt. No. 1 Coy., 1st Sydney Battr., V. R.

By Lance-corporal Lees :—

- Q.—Are you the Captain of my Company?
 A.—Yes.
 Q.—Were you present during the late encampment at Ham Common?
 A.—Yes.
 Q.—Was I frequently under your observation at that encampment?
 A.—Not frequently.
 Q.—Was I many times under your observation?
 A.—Yes.
 Q.—During those occasions was I obedient and respectful towards my superior officers?
 A.—Most decidedly.
 Q.—What I did at that encampment with reference to my duties, did I try all I possibly could to make that same encampment a success?
 A.—Most decidedly, as far as my knowledge goes.
 Q.—Were two of my sons under your command at that camp, and were they obedient and respectful to their superior officers?
 A.—They were not under my immediate command, as I was not in command of the Company at the encampment.

JNO. WELLS, Captain,
 No. 1 Comy., 1st Battn., Vol. Rifles.

Lieutenant Cooper, being called and duly sworn, was examined by the Court :—

- Q.—Your name and rank?
 A.—John Cooper, Lieutenant, No. 1 Company, 1st Battn., V.R.

Examined by Lance-corporal Lees :—

- Q.—Where you present at the encampment at Ham Common?
 A.—Yes.
 Q.—Was I frequently under your observation?
 A.—Yes, very frequently.
 Q.—Were two sons of mine under your command at that camp?
 A.—Yes.
 Q.—Do you recollect Colonel Richardson going round to visit the tents on the Sunday, at dinner-hour?
 A.—Yes.
 Q.—Did he point out any particular tent as the cleanest and tidiest tent throughout the whole camp?
 A.—No; he spoke very highly of No. 1 tent, the first he visited.
 Q.—Did my sons and myself occupy a portion of that tent?
 A.—Yes.
 Q.—While under your supervision, did I try all I possibly could to make that encampment a success, with obedience and respect to my superior officers?
 A.—Yes.

JOHN COOPER, Lieut.,
 No. 1 Coy., 1st Battn., V.R.

Ensign Cranna, No. 1 Company, being duly sworn, was examined by the Court :—

- Q.—Your name and rank?
 A.—James Cranna, Ensign, No. 1 Coy., 1st Syd. Battn., V.R.

Examined by Lance-corporal Lees :—

- Q.—Were you present at the late encampment at Ham Common?
 A.—I was.
 Q.—Since I have joined No. 1. Company as a Volunteer, do you consider I have been obedient and respectful towards my superior officers?
 A.—Yes.

JAMES CRANNA, Ensign,
 No. 1 Compy., S.B.V.R.
 Captain

Captain Davey, being duly sworn, was examined by the Court:—

Q.—Your name and rank?

A.—John Joseph Davey, Captain No. 4 Company, 1st Sydney Battalion, V.R.

By Lance-corporal Lees:—

Q.—Were you present at the late encampment at Ham Common?

A.—I was.

Q.—Was I many times under your observation at that encampment?

A.—Yes.

Q.—On the night of the 12th April last, did I mount a guard under your command, called the outlying picquet?

A.—Yes.

Q.—Did you fall me out of the ranks as your principal assistant on that night?

A.—I did.

Q.—Did I do all that lay in my power in posting and relieving sentinels, and teaching them the various branches of their duties during the whole of that night, obedient and respectful towards you and other officers under your command?

A.—You did, and were very attentive and watchful.

Q.—If you have any further statement to make with reference to my conduct, will you please make it to this Court?

A.—I detailed you for special duty on that night entirely of my own accord, and without any suggestion from anyone, from my own observation of your willingness to perform all duties at the encampment, you were at all times sober and correct, and respectful, while under my observation.

JOHN JOSEPH DAVEY, Captain,
No. 4 Compy., 1st S.B.V. Rifles.

Captain Dickson, being called in, was duly sworn and examined by the Court:—

Q.—Your name and rank?

A.—Stephen Dickson, Captain No. 8 Company, 1st S.B.V.R.

By Lance-corporal Lees:—

Q.—Were you present at the late encampment at Ham Common?

A.—Yes.

Q.—Did I attend several parades and mount guard with you during that encampment?

A.—I recollect your mounting guard once with me, and believe you were at the parades.

Q.—Was that guard on the Saturday night, 12th April last?

A.—Yes.

Q.—During your observation did I try to make that encampment a success?

A.—I believe you did.

Q.—Did you ever know me to be disrespectful to any of my superior officers?

A.—I never saw you disrespectful.

STEPHEN DICKSON, Captain,
No. 8, S.B.V.R.

The Court adjourned to consider the evidence to Wednesday, the 10th inst., at 7:30 p.m.

R. PEEL RAYMOND, President.

The Court having re-assembled in pursuance of the above adjournment, the whole of the members being present, proceeded to consider Major Jaques' letter of 6th inst., and the Commandant's memo. thereon, arrived at the conclusion that it was inexpedient to admit further evidence. (Vide the letter attached.)

The Court then having duly considered the evidence, arrived at the following opinion, viz.:—

1st Charge against Lance-Corporal Lees,—

The Court is of opinion that he did use the words "I should like to know what style of rounds you are," but after challenging several times, and not intentionally in an offensive tone of voice.

2nd charge,—

It is the opinion of the Court that Lance-Corporal Lees called Sergeant Maddocks twice to obey the order of the Commandant, and that therefore he did not counsel his sergeant to disobey the orders of his superior officers.

3rd charge,—

The Court is of opinion that the charge is not proved.

4th charge,—

The Court is opinion that the words "Shoot you down" were used by Major Jaques, but not as a threat, merely in explanation.

5th charge,—

The Court is of opinion that Lance-Corporal Lees made use of the words mentioned in charge 5, viz., "That the Commandant and other officers did not seem to be in their proper senses."

With reference to the charge made against Major Jaques and Captain Campbell, "not being in their proper senses," meaning that they were under the influence of liquor, the Court is of opinion that this charge is not proved.

Further, the Court is of opinion that the first case of the irregularities into which they have been instructed to investigate and report upon on the night in question, arose from the fact of Captain Campbell having in the first instance mistaken the remarks made in reference to a person of the same name, a private in the guard, as intended to be applied to him. And in the next place Major Jaques only replying "Rounds" instead of "Grand Rounds" when challenged.

R. PEEL RAYMOND, President.
P. L. C. SHEPHERD, Major, }
JOHN H. GOODLET, Major, } Members.

1st Battn., V.R. Office, Sydney 10th Sept., 1873.

I confirm the finding of the Court.

25/9/73.

J.S.R., Lieut.-Col., Comdt.

Major

Major of Brigade to Major Raymond.

Memo.

Brigade Office, Sydney, 23 September, 1873.

1. The Commandant concurs in the opinion expressed by the Court of Inquiry which investigated Private Lee's case, and has therefore directed his release from arrest.

2. He has, however, observed certain irregularities in the manner of conducting the proceedings, to which he considers it advisable to call the attention of the Court.

3. The very voluminous and complicated nature of the evidence has, however, imposed a difficult task on its members, and it is almost inevitable that some irregularities should occur in the course of such a lengthened inquiry.

4. Two witnesses—Lieut. Chisholm and Sergeant Maddocks—are not recorded as having been sworn, nor with the majority of the witnesses has any record of the charges having been read to them been made, as should invariably be done. The signature of witnesses to their statement is unnecessary.

5. The dates of re-assembling should be entered on the proceedings of the day.

6. Reports (such as Major Jaques') should never be received in evidence. They are not the "best evidence" when the makers of the reports are available as witnesses, to give direct evidence to the Court. The report in question was forwarded to the Court to give it some prior knowledge of the matter it was called on to investigate.

7. Diaries are inadmissible as evidence, except the diary of an accused person; as against himself, they should not be admitted as evidence for or against others. In this case the members themselves were there to give evidence, and should have so given it directly.

8. Leading questions should not have been admitted, as they were by the Court, such being one of the primary laws of evidence.

By command.

W. B. B. CHRISTIE, Captain,
Major of Brigade.

Major of Brigade to Major Raymond.

Memo.

Brigade Office, Sydney, 22 September, 1873.

Lance-Corporal Lees, No. 1 Company Sydney Battalion, Volunteer Rifles, will be released from arrest.

By command.

W. B. B. CHRISTIE, Captain,
Major of Brigade.

LIEUT.-COLONEL RICHARDSON to HIS EXCELLENCY THE GOVERNOR.

Your Excellency,

Brigade Office, Sydney, 29 September, 1873.

I HAVE the honour to forward for your information, proceedings and documents connected with a Court of Inquiry held under your authority, to investigate the alleged misconduct of Lance-Corporal Lees, No. 1 Company Sydney Battalion, Volunteer Rifles, together with that of certain officers, which latter proceeding was necessitated by Lance-Corporal Lees stating at a preliminary investigation that Major Jaques had "threatened to shoot him down," and that the Commandant and other officers did not seem to be in "their proper senses," referring to their action in connection with the circumstances of his own case, such statement seeming to have implied that the officers in question were intoxicated.

Your Excellency will perceive that the Court has recorded an opinion favourable to Lance-Corporal Lees as to matters 1, 2, 3, and 4; as to that contained in 5, the Court states its opinion that he did use the words "not being in their proper senses," and that such expression meant "that they were under the influence of liquor." But taking into consideration the acquittal given as regards 1, 2, 3, and 4, and the disclaimer made by Lance-Corporal Lees in his defence as to his having intended to impute drunkenness, and his having, early in the proceedings, taken exception to the statement that he had used the word "proper," Captain Campbell, one of the witnesses, stated that he believed the word "usual" was made use of. I have been unwilling to press the matter any further, and directed Lance-Corporal Lees to return to his military duty. The Court has not recorded any opinion as to the matters personal to myself, it having been precluded so doing by my instructions. These matters it now becomes my duty to submit for your Excellency's consideration.

I may here observe, I have marginally noted in red ink for your Excellency's greater convenience, those portions of the evidence relating to myself, and upon which I beg respectfully to offer a few remarks.

As to the imputation of intoxication, it will be seen that Sergeant Maddocks, Privates Bayley and Jones, have supported this view, on the grounds of my having appeared to be excited; but, on the other hand, Major Jaques, Captain Campbell, Sergeant Steele, Privates Prentice, Keene, Stacey, Wandby, Vickery, Hawkins, Dickson, and Doherty are witnesses to my sobriety; besides which I have to append letters from the Reverend George Macarthur (who was acting in his capacity of Chaplain at the Encampment), Major Wilson, Captain Compton, and Lieutenant Callen; and to observe that I have further evidence in my possession should it be required.

As regards my having used such an expression as "Damn you Sergeant Maddocks," it appears that whilst seven witnesses depose to those precise words, nine have given evidence to the contrary, amongst whom are Sergeant Maddocks himself, Major Jacques, Captain Campbell, and Sergeants Steele and Turton, and I further deny having applied any oath to Sergeant Maddocks individually. I admit, however, having used language bearing a similar construction to that contained in the evidence of Sergeant Steele and Private Keene, pages 37, and 57 of the proceedings. I do not hesitate to express to Your Excellency my sincere regret in having been betrayed into the use of language to which exception may be taken, at the same time I venture to hope you will be pleased to take into consideration the, to me, peculiarly irritating attendant circumstances, viz. :—the apparently gross misconduct of the guard, as verbally conveyed to me

by

by Major Jaques, and recapitulated in his report of the 14th April last (to which I would invite your Excellency's attention), together with insubordinate conduct of the Sergeant of the guard, in neglecting to obey my repeated orders, and fixing swords upon me.

In conclusion, I consider that the irregularities, and misunderstandings, which arose on the night of the 14th April last, were owing to a great extent, to the inexperience of the Volunteer Force in the performance of guard, and camp duties, and to mistaken ideas as to the position of certain officers. I have endeavoured by Brigade order, to give the Volunteer Force juster views on the latter subject.

I have, &c.,

JOHN S. RICHARDSON, Lieut.-Col.,
Commandant.

The Rev. Geo. F. Macarthur to Lieut.-Colonel Richardson.

Dear Col. Richardson,

The King's School, May 15, 1873.

I HAVE a perfect recollection of everything which transpired on Easter Sunday:—On my return from Richmond, about 9.30 p.m., I found you, together with several staff officers, sitting in the Staff Mess Tent. Dr. Mackellar had arrived, and you introduced me to him. As we sat chatting Major Jaques entered—*loquitur*: "I beg pardon Colonel for intruding, but I wish to know if a sentry is justified in refusing to pass the visiting officer when he answers the challenge in accordance with the regulation." Colonel Richardson: "Certainly not; but let me know, please, what passed."

Major Jaques: "I, as Visiting Officer, was challenged by the sentry of ——— Guard. I answered, "Rounds," when the sentry in an impertinent and offensive tone said, "Perhaps I would be good enough to answer according to regulation," or words to that effect. I remonstrated. The sentry persistently maintains that I ought at once to declare the rounds in direct reply to the first challenge *i.e.*, I should say, "Visiting Rounds," or "Grand Rounds," at once, as the case may be, in reply to the sentry's challenge. I persist in following the custom which is ordered in the Queen's Regulations until there is a fresh order on the subject.

Colonel Richardson: "Well, the sentry is right in one sense—that is to say, there has been a change in the mode of challenge and reply, and it is in force in the Army, but it is so very recent that we have not as yet placed it in orders here. Until it is in orders here the guards are bound to abide by the old practice as set forth in the regulations. Major Jaques: "Then I am right in adhering to the old form of challenge and answer." Colonel Richardson: "Certainly; you had better try him again." [*Major Jaques exit.*] After a short interval he returned and reported that the guard still refused to let him pass, whereupon the Colonel buckled on his sword and went out attended by his Staff. I was much struck with the quiet calm way in which he dealt with the report. I was told that he had gone to visit the guard himself, and that whatever transpired there had led to some arrests.

I saw the Colonel and conversed with him immediately on his return from visiting the guard; he was quite composed, and did not appear to be even irritated by what had passed.

So much for my recollection of what passed on Easter Sunday evening. If it be insinuated that you had been exceeding and consequently acted injudiciously, I can most solemnly assert that under the circumstances of the wet weather and frequent exposure to rain both by day and night, your abstemious habit was most noteworthy on the particular occasion, in reference to which you have asked me to state what I know. I only hope Colonel that you did the right thing at the right time, because no plea of your having had more than was good for you will avail you—you were in your right mind—you were as sober, nay more sober than some judges I could name. I was in camp from Saturday evening up to Tuesday morning, when I left with you by morning train, during all this time I was constantly in your company, and I am quite prepared to vouch for your entire sobriety, and for the unvarying courtesy which you exhibited towards every one who approached you. I am very sorry to think that all this trouble has arisen out of the conduct of an old Queen's Service man who knows perfectly well that a respectful obedience to the orders of his superior officers is one of the essential attributes of every good true soldier. It is no justification for the old soldier to say the "Volunteer officers do not know their duty," because it is the special duty of the old soldier to set an example of obedience to orders, even though the orders be in error; it is a far more vital and important lesson to learn to obey orders than to attain to the perfection of accuracy in drill or aught else. Inexperienced Volunteers are apt to attach great importance to the conduct and example of these old Queen's Service men, and when they set a bad example of insubordination or impertinence towards their officers they become absolutely a source of great mischief. The sooner you get rid of such men the better for the Service.

I am, &c.,

GEO. F. MACARTHUR.

Lieutenant Callen to Lieut.-Colonel Richardson.

Sir,

Sydney, 2 July, 1873.

IN reference to the conversation I had with you this morning, I have much pleasure in stating that I was in the Head-Quarters Mess tent at the Encampment the whole of the evening of Sunday, the 13th of April last. I remember Major Jaques coming between the hours of 10 and 11 to make a report to you, the purport of which I did not know at the time; you, I believe, left the tent with him in uniform—indeed, I never saw you dressed otherwise during the whole time of the Encampment.

With regard to the absurd charge of your being intoxicated, I pronounce it to be a malignant falsehood, and if called upon, will affirm what I have stated to be true.

I have, &c.,

G. D. CALLEN, Lieut.,
Volunteer Force.

Captain

Captain Compton to Lieut.-Colonel Richardson.

Dear Sir,

Victoria Barracks, 18 August, 1873.

REFERRING to our conversation relating to what took place with the rear guard at the camp on the evening of the of April last, I witnessed very little of the transaction, for although I accompanied you, before we reached the rear guard you sent me back to the Brigade Office tent for some information, and when I returned all I heard was the order to place Corporal Lees under arrest, given several times to Sergeant Maddocks, before he obeyed it.

You then sent me to Major Raymond to require him to supply a fresh guard from the Sydney Battalion, and when I returned with the guard you had reached head quarters.

With respect to your being under the influence of drink on that evening, the statement is as untrue as it is ridiculous; had such been the case the circumstance would have been so extraordinary that it would have left an indelible mark on my mind.

I am, &c.,

J. AUG. COMPTON, Captain,
Instructor in Musketry, Volunteer Forces,
Acting A.D.C., Military Secretary at the Encampment.

Major Wilson to Lieut.-Colonel Richardson.

Sir,

Sydney, 19 August, 1873.

SOME time ago you startled me by asking whether I recollected any occasion on which you were intoxicated while at the camp held at Ham Common in April last. At your request I beg to state, as accurately as I can, one interview, out of many, I had with you at that place. In the first place, I can only say that I never saw in you at any time the slightest cause for suspicion of such a grave charge as that of intoxication, either there or anywhere else, and I am positively astounded that any one can have accused you of such conduct.

I beg to give you particulars of my interview with you on Monday morning, the 14th April, between 12 and 1 o'clock, when the flying column under my command was assembled on the parade ground near the camp. You arrived and expressed a wish that the column should march off before the outlying picquet was sent. On my informing you that the horses for the guns had not arrived, you said that it was unfortunate, asked what the cause of detention was, and requested me to send some one to ascertain the cause. I told you that I had already sent a non-commissioned officer to inquire. After some further delay, you suggested the advisability of marching off at once before the horses arrived, as they could easily overtake me, and that I was to halt the column in some sheltered place.

You gave me advice as to keeping out of sight, or hearing of the picquet which was to follow, and as to my course of action when falling in with it, on my attack before daybreak. I gave you an outline of what my plan was, and you said, "Very well—be careful." Your orders and suggestions were given as usual, and your manner was both gentlemanly and courteous. Had anything been the matter with you I must have seen it, as I was conversing with you for some time.

I shall be very glad if this communication will be of service to you under, what I consider, both a false and malicious charge.

I beg to remain, &c.,

WATSON WILSON,
Major, Volunteer Artillery.

HIS EXCELLENCY THE GOVERNOR TO LIEUT.-COLONEL RICHARDSON.

SIR,

Government House, Sydney, 15 October, 1873.

I HAVE received your letter of the 29th September, forwarding proceedings and documents connected with a Court of Inquiry appointed to investigate certain irregularities which occurred at the recent Easter Volunteer Encampment.

I have carefully read all the papers transmitted with your letter, and consider that you have successfully refuted the imputation against yourself, implied in Lance-corporal Lees' observation, that the Commandant and other officers did not seem to be in their proper senses.

The enclosures to your letter are herewith returned.

I have, &c.,

HERCULES ROBINSON.

Lance-corporal Lees to Capt. J. Wells.

Sir,

218, Crown-street, Sydney, 4 August, 1873.

I HAVE the honor to inform you I have now for four months been unable to attend the drills and parades of your Company, owing to my being under arrest since the affair of Ham Common. Now that all the evidence has been taken by the Court of Inquiry appointed by His Excellency, may I respectfully request you to move that a decision thereon may soon be granted.

I have, &c.,

JAMES LEES, Lance-corporal,
No. 1 Coy., S.B.V.R.

Forwarded to the Officer Commanding 1st Sydney Batt., Volunteer Rifles, for the purpose of being transmitted to the Commandant for his consideration. I have been informed that it is now nearly three (3) weeks since the evidence collected in this case was sent by the President of the Court of Inquiry to the Commandant. I therefore request, as a simple act of justice to Lance-Corporal Lees, that a decision may be speedily arrived at, in order that, if given in his favor, he may be enabled to render himself efficient for the present year, and that the Company under my command may receive the benefit of his capitulation allowance.—JOHN WELLS, Captain, B.C., 5/8/73.

Forwarded to the Commandant as requested.—THOS. RICHARDS, Major, Comdg. 1st S.B.V.R.

The

The Major Comg. Syd. Battn. V.R.—I only received the proceedings yesterday, the 5th. How does Captn. Wells come by his information, as stated in his memo. ?—J.S.R., Lt.-Col., 6/8/73.

Captn. Wells will please to answer the Comdt.'s memo. By Order.—W. CHATFIELD, Captn., Adjt., 9/8/73. Received 12/8/73.—J.W.

Major Raymond was my informant. I have just had an interview with him, and it appears that what he did say was to the effect that he intended to forward the evidence taken by the Court to the Commandant the day after the last meeting, but was prevented by an after occurrence from doing so. It is therefore evident that I misunderstood what he told me. This, however, does not affect the argument as regards Lance-Corporal Lees. He was placed under arrest on the 13th April last, now four months ago, and I cannot understand why he should suffer, because the proceedings in his case have been so long protracted. I beg, therefore, respectfully to request that he may be released from arrest, in order that he may attend the parades of his corps, and pass through his musketry course for the present year.—J.W., Captn., B.C. 14/8/73.

Forwarded to the Commandant.—THOS. RICHARDS, Major, Comg. 1st Syd. Batt., 15/8/73.

I am in no way responsible for the delay which has taken place in this matter, and as soon as the case is closed take immediate steps with reference to a decision.—J.S.R., Lt.-Col., B.C. 18/8/73.

To be returned. For the information of Captn. Wells. By order.—W.C., Capt., Adjt., 19/8/73.

Lance-Corpl. Lees.—J.W., Captn., 19/8/73. To be returned.

Since I received this the Court has re-assembled, after a period of (33) thirty-three days since it was closed, and again adjourned for seven (7) days. Will Captain Wells be pleased to ascertain the reason of these long adjournments.—JAS. LEES, L.-Corpl., 21/8/73. Returned to Capt. Wells.

Memo :—Perhaps the Officer Commanding 1st Batt., Vol. Rifles will be kind enough to obtain the information asked for by Lance-Corpl. Lees. The Commandant states in his memo. that he is "in no way responsible for the delay which has taken place in this matter."—J.W., Captn., 25/8/73.

Submitted to the Commandant.—THOS. RICHARDS, Major, Comdg. 1st S.B.V.R., 27 Aug., 1873.

Brigade Office, Sydney.

Major Raymond will be good enough to report as to the delay in the completion of the proceedings of the Court of Inquiry in Lce.-Corpl. Lees' case, and as to the necessity for the adjournments which have taken place in the course of the proceedings. By Command.—W. B. B. CHRISTIE, Captn., Major of Brigade, 2/9/73.

The President of the Court cannot report as to the "delay, &c." because there has been none. The case is not simply a Court of Inquiry on Lance-Corpl. Lees' conduct. If it had been, it would not have lasted over two or three sittings; but the instructions involve several matters for inquiry, his case however being mixed up with all.

The adjournments have been, after sitting to the latest possible moment, to enable one of the members to catch the last train leaving Sydney, viz., 11:30 p.m., and with as short an interval between each as could be arranged. If by the above memo. it is meant to ascertain the reason of the length of the proceedings, the President has simply to report, it has been caused by the number of witnesses summoned, and the lengthy examination, cross-examination, re-examination, most of them have been subjected to by the parties concerned.—R. PEEL RAYMOND, Major, President, 3/9/73.

Forwarded to the other members of the Court, for any observations they may please to make.—R.P.R., Major, 3/9/73. To be returned.

I fully concur in the President's remarks. The Court brought its proceedings to a close as far as Lees is concerned, and sent them in five or six weeks ago. The inquiry now affects certain commissioned officers, and was compulsorily enjoined by the Commandant upon this Court, despite its recorded objection to their being permitted to assume privileges only accorded to accused parties under cover of Lees' name. The inquiry thus affecting actually though not ostensibly several accused parties instead of only one, and the examination of their numerous witnesses, sufficiently accounts for its protracted length. Moreover, Volunteers have their more important matters of business to attend to which necessarily interfere at times with the uninterrupted discharge of their military duties.—P. L. C. SHEPHERD, Major, 5/9/73, Member of the Court.

I concur with the President's remarks, and I think the voluminous evidence will show that the duties of the Court have been severe.—J.H.G., Major, Sub. Battn., 5/9/73.

For the information of the Commandant.—R.P.R., Major, President, 6/9/73.

Memo.

Brigade Office, Sydney, 8 September, 1873.

The Commandant has had under his consideration the letter written on the 4th August, 1873, by Lance-Corporal Lees, No. 1 Co., Sydney Battalion, Volunteer Rifles, referring to the length of time he has been under arrest, and requesting that a decision may soon be arrived at in the case in which he is concerned. The Commandant has called for, and received a report from the President of the Court of Inquiry, which is investigating the case, from which it would appear that there has been no unnecessary delay in the investigation of this case, which embraces not only the occurrences at the camp, but also Lance-Corpl. Lee statements at the preliminary investigation, tending to affect the character of certain officers. The proceedings have been necessarily long and intricate, a large number of witnesses having been called, and it has been necessary to consult the convenience of the members of the Court, who have other and pressing civil duties to attend to.

By command,

W. B. B. CHRISTIE, Capt.,
Major of Brigade.

No.

No. 81, Brigade Order.

Brigade Office, Sydney, 19th May, 1873.

3. By direction of His Excellency the Governor, a Court of Inquiry will assemble at the Syd. Battn. Office, Elizabeth-street, at such time as may be appointed by the President, to investigate and report upon certain irregularities said to have taken place at the recent Encampment.

President:—

Major R. P. Raymond, Syd. Battn.

Members:—

Major P. L. C. Shepherd, Vol. Art.

Major J. H. Goodlet, Subn. Battn.

By Command,

THOS. BAYNES, Capt.,

Act. Major of Brigade.

Major Raymond, Adjutant in B.O. this day. Send notification round to the various evidences by an instructor, and get them initialled as having been seen.—J.S.R., Lt.-Col., Comdt., B.C., 26/5/73.

Major Raymond will be pleased to notify the hour and date the Court will assemble, and cause all parties and evidence concerned to be in attendance.—J.S.R., Lt.-Col., Comdt., 21/5/73.

The acting Adjutant will be good enough to find out what day and hour would be most convenient for Majors Shepherd and Goodlet for the assembly of this Court.—R.P.R., Major, B.C., 22/5/73

To Majors Shepherd and Goodlet.—By order, J.A.C., Actg. Adj., 1st S.B.V.R., 22/5/73. Friday, 30th instant, at 4 p.m., will suit Major Shepherd.—By order, C. LETT, Capt., Adj. V.A., B.C., 22/5/73. Friday, 30th instant, at 4 o'clock, will suit Major Goodlet.—By order, J. WILSON, Lt., Adj. Sub. Battn., 23/5/73.

The Court to assemble at this office accordingly, on Friday, 30th, if approved by the Commandant, who will be pleased to direct as to uniform. I beg to suggest undress if allowable. Be good enough also to put an Adjutant in orders to attend the Court.—R.P.R., Major, Comdg. 1st Syd. Batt., V.R., 23/5/73.

Approved—And in undress uniform.—J.S.R., Lt.-Col., Comdt., 23/5/73. Evidences, Major Jaques and escort, Capt. Campbell, Lt. Chisholm, Sergt. Maddocks, and Pvt. Lees, and his evidence.—J.S.R.

No. 84, Brigade Order.

Brigade Office, Sydney, 26 May, 1873.

3. The Adjutant of the Sydney Battalion, Volunteer Rifles, will attend the Court of Inquiry alluded to in par. 3, Brigade Order, No. 81, of the 19th instant.

By Command,

THOS. BAYNES, Capt.,

Act. Major of Brigade.

Urgent. Memo.—The Court of Inquiry ordered by His Excellency the Governor, to investigate and report upon certain irregularities said to have taken place at the recent Encampment, will assemble at the office of the 1st Sydney Battalion, V.R. on Friday, the 30th May, 1873, at 4 p.m.

The following evidences warned to attend:—

Major Jaques and escort, Capt. Campbell, Lt. Chisholm, Sergt. Maddocks, and Lce.-Corporal Lees and his evidence.

By order,

ALEX. CAVANOUGH, Lieut.,

Act. Adj., 1st S.B.V.R.

Capt. Wells to warn Sergt. Maddocks, and Lce.-Corporal Lees.—R.P.R.

The evidences abovenamed will initial this document when seen.

Memo.—The Commandant has been pleased to approve of the Members of the Court ordered to assemble to-morrow afternoon wearing undress uniform (with swords) instead of *full dress*.—R.P.R., Major, President of the Court, 29/5/73.

For the information of Major Shepherd and Major Goodlet. Seen.—C. LETT, 28/5/73. Forwarded on for Major Goodlet's information.—B.C. Noted.—J.W., Lt., Adj. Sub. Batt., 29/5/73.

Lt. Chisholm's compliments to Major Raymond, and would feel obliged if the gentlemen composing the Board would kindly allow Lt. C. to absent himself from attending the inquiry this evening, having an important meeting to attend which would be most inconvenient to put off.—H. J. CHISHOLM, Lt., No. 2, "D.E.H.," 3/6/73.

PASS ORDER.

Memo.,

The Court of Inquiry assembled under Brigade Order No. 81, having been adjourned to Tuesday next, at 7 p.m.—all Volunteers warned to attend; same will be required to appear in undress uniform, with side-arms, the hour fixed giving ample time to effect the necessary change of clothes after business hours.

R. PEEL RAYMOND, Major,

President.

1st Syd. Batt. Office, 4 June, 1873.

Major Jacques and Escort.

Capt. Campbell.

Lt. Chisholm.

Lce.-Sergt. Maddocks and Lce.-Corpl. Lees and his evidence.

By order,

W. CHATFIELD,

Adjt., 1st Syd. Battn.

Capt. Wells to warn L.-Sergt. Maddocks and L.-Corpl. Lees.—J.W.

The evidence above-named will initial this document when seen.

Sir,

Sir,

1st Sydney Battn. Office, 11 June, 1873.
 BY desire of the Court of Inquiry ordered to assemble under Brigade Order No. 81, I have the honor to report that Captn. Campbell of the Highlanders, and the two members of the same corps who acted as escort to Major Jaques at the camp on the night of the 13th April last, Privates Steele and Prentice, failed to attend said Court last evening when their evidence was required, although duly warned by Pass Order to do so, thereby causing much inconvenience and delay.

I have, &c.,

R. PEEL RAYMOND, Major,
 President of the Court.

To the Commandant.

Major Goodlet to inquire and report upon this case.—J.S.R., Lt.-Col., 11/6/73, B.C.

Captn. Campbell will be good enough to explain, without delay, for the information of the Officer Comdg. the Sub. Battn.—By order, J.W., Lt.-Adjt., 12/6/73.

I understood that the Court was adjourned to half-past 4 of the day named, and accordingly attended in uniform in the afternoon, but finding no one present returned home. I regret that I have been the cause of much inconvenience and delay to the Court.—JOHN CAMPBELL, Captn., 13/6/73.

Recd., 16 June, 1873.—J.W., Lt.-Adjt.

Forwarded for information of Commandant. I understand the escort were under the impression they were not required.—By order, JAMES WILSON, Lt.-Adjt., 17/6/73.

For information of the President of the Court.—J.S.R., Lt.-Col., 19/6/73.

Private Prentice and Sergt. Steele, Highlanders; Patrick Keane, No. 3 Co., Syd. Batt.; Arthur Stacey, No. 1 Co., Syd. Batt.; Alfred Jones, No. 3 Co., Syd. Batt.; Joseph Bingley, No. 6 Co., Syd. Batt.; Geo. Wall, No. 4 Co., Syd. Batt.; Major Jaques; Captn. Campbell.

Witnesses warned to be present at 7 p.m., Thursday, 19th inst.—R.P.R., 17/6/73.

Major Raymond to the Commandant.

Sir,

1st Sydney Battalion Office, 20 June, 1873.
 I HAVE the honor to report that the Court of Inquiry assembled at this office, under Brigade Order No. 81, had to be adjourned yesterday evening, in consequence of the absence therefrom of Major Shepherd, Commanding Vol. Artillery Brigade.

I have, &c.,

R. PEEL RAYMOND, Major,
 President of the Court.

For Major Shepherd's explanation.—J.S.R., Lt.-Col., Comndt., B.C., 20/6/73.

I deeply regret having unwittingly absented myself on the occasion alluded to. I was under the impression the Court stood adjourned to this (Friday) evening, having inserted a note to that effect in my memorandum book.—P.L.C.S., Major Comg. V.A., 20/6/73. For the information of the Court.—J.S.R., Lt.-Col., Comdt., 21/6/73.

Memo.

MAJOR Raymond, the President of the Court of Inquiry (sitting to investigate the conduct of Pte. Lees), reports that at the present stage of the proceedings Pte. Lees complained that he had not received an official copy of the charges against him, by which, I presume, he means the instructions to the Court founded on the report of Major Jaques (a copy of which was furnished him), and his own statement with reference to Major Jaques, Capt. Campbell, and myself. As Pte. Lees should have every opportunity to clear himself, an extract from the instructions alluded to is appended.

It is here to be remarked, that what has been designated as charges were read, in the first instance, in the hearing and presence of Pte. Lees, as also to each witness, and he therefore, at all events, cannot plead ignorance; besides which it was open to Pte. Lees then to apply for a copy of the instructions, and even to beg an adjournment of the Court.

The President also states that Pte. Lees informed the Court last evening that he had nine (9) more witnesses to call; therefore there will be ample opportunity for the collection and record of any new evidence Pte. Lees may deem it desirable to produce.

The Officer Commanding Sydney Battalion, Vol. Rifles will be good enough to cause this memo., together with the accompanying extract, to be forwarded for Pte. Lees' information.

J.S.R., Lt.-Col.,
 Commandant.

Brigade Office, Sydney, 11th July, 1873.

B.C. to Capt. Wells, who will be good enough to comply with last paragraph of memo. from the Commandant.—R.P.R., Major, Commandg. 1st Syd. Batt., V.R., 12/7/73. Memo. to be returned. For the information of Lce.-Corpl. Lees.—J.W., Captn., 14/7/73. This memo. to be returned. Received 16/7/73, and returned to Capt. Wells.—J. LEES, Lce.-Corpl. No. 1 Co. Retd. to Officer Comdg. 1st Syd. Batt., V. R.—J.W., Capt. 18/7/73. For the information of the Commandant.—THOS. RICHARDS, Major, Comg. 1st S.B.V.R., 18/7/73.

Major Raymond to Lieut.-Colonel Richardson.

Sir,

1st Sydney Battalion Office, 4th August, 1873.
 REFERRING to your memorandum on Major Jaques' letter (herewith returned) of 17th ultimo, I have the honor to inform you that one of the Members of the Court states it will be impossible for him to give his attendance for some days.

As delay will therefore occur in re-assembling the Court, it may perhaps be advisable that the proceedings, so far, of the Court of Inquiry in the matter relating to Private Lees should be sent to you; and I beg therefore herewith to forward same.

I have, &c.,

R. PEEL RAYMOND, Major,
 President of the Court.

Sir,

Eastcliffe, Balmain, 17th July, 1873.

I HAVE the honor to request that you will cause the accompanying letter, addressed as per margin, to be forwarded at your earliest convenience, and would ask the favour of the same being laid before the Commandant before the next sitting of the Court.

I have, &c.,

THEO. J. JAQUES, Major,
Vol. Rifles, Subn. Battn.

Major Raymond, President of the Board of Inquiry, *re* Lees,
Sydney Battn. Office, Elizabeth-street.

In forwarding this letter, I beg to remark that Major Jaques had full opportunity of cross-examining the witness when he gave his evidence before the Court, with regard to the entries in the diary alluded to; and by direction of the Court, Private Stacey was only required at next sitting to produce an extract from his diary of that part of it bearing upon his evidence, at same time being told that he would be required to certify on oath that it was a true copy, this has been done; and the Court decline to allow Major Jaques' demand that the original should be put in for his examination, considering that the examination of said witness had closed, and that he had complied with all required of him further by the Court.

R. PEEL RAYMOND, Major,
President.

18/7/73.

Major Jaques to Lieut.-Col. Richardson.

Sir,

Eastcliff, Balmain, 17th July, 1873.

I HAVE the honor to inform you that last evening when attending by authority of Brigade Order the Court of Inquiry to investigate as to certain charges against Lce.-Coprl. Lees, the Court received as evidence a copy of a diary or portion thereof, stated by Pte. Stacey (one of the witnesses produced by Coprl. Lees) to have been kept by him, the original then being in his Stacey's possession, the Court declined to allow me to examine Stacey as to the diary, or to require the production of the original, and dismissed the witness. I protested against the evidence of a copy when the original could be produced, and claimed the right to question the witness as to the original and the entries therein; my request not being complied with, and the next witness being called, I stated to the Court that I could not consistently further attend, and retired. I beg to state that it is my intention not further to attend the sittings of the Court.

I have, &c.,

THEO. J. JAQUES, Major,
Vol. Rifles, Subn. Battn.

I cannot confirm the ruling of the Court, as the contents of any writing admitted as evidence must be proved by the production of the document itself, unless the Court is satisfied this is impossible. It is not necessary to annex original documents admitted in proof, but a copy or extract therefrom, as far as it bears on the questions and to the extract required may be annexed, and numbered or lettered and referred to on the face of the proceedings.

The copy or extract must, however, be compared with the original, and certified as a true copy or extract by the President of the Court.

The admission of the diary as evidence entitles Major Jaques to examine thereon.—J.S.R., Lieut.-Col. Comdt., 19/7/73, B. C.

Major Jaques to Lieut.-Colonel Richardson.

Sir,

Sydney, 11th August, 1873.

THE witnesses that I should wished to have called on the subject of the inquiry now being made, relative to Lance-Corporal Lees, are—

Major Raymond.	Seen R.P.R., 16/8/73.
Major Goodlet.	Warned, J.W., Lt.
Captain Cameron.	Warned by letter, J.W., Lt.
Lieut. Longfield.	Warned by letter, J.W., Lt.
Adjutant Wilson.	Seen, J.W., Lt.

I have, &c.,

THEO. J. JAQUES, Major,
V. Rifles, Sub. Batt.

To be initialled by each witness, and returned to the President.

Requested that the President of the Court will summon the witnesses specified by Major Jaques, and Lce.-Coprl. Lees should also be in attendance.—J.S.R., Lt.-Col., Comdt., 15/8/73.

Lance-Coprl. Lees has been warned.—R.P.R., Major, President, 16/8/73.

The witnesses herein named are requested to attend at the Office, 1st Battn., Vol. Rifles, on Wednesday, the 20th inst., at 7.30 p.m., when this Court will be re-assembled.—R. PEEL RAYMOND, Major President.

Major Raymond to Captain Wells.

Memorandum.

CAPTAIN WELLS will be good enough to warn Lance-Corporal Lees, of his Company, that the Court of Inquiry in his case has been ordered to re-assemble at the Battalion Office, on Tuesday evening next, the 19th inst., at 7 p.m., and to instruct him to attend accordingly.

The Court also requires the attendance of Private Stacey, No. 1 Company, to produce the original diary kept by him at the Camp, at Ham Common, copy of a portion of which has been furnished to the Court.

Captain Wells will be good enough to return this document to the President of the Court after being initialled as seen by the parties abovementioned.

R. PEEL RAYMOND, Major,
President of the Court.
Forwarded

14/8/73.

Forwarded to Captain Wells for his perusal and attention.—W. CHATFIELD, Captain, Adjutant of the Court, 14/8/73.

Forwarded for Lance-Corporal Lees' information. To be initialled and returned.—J. W., Captain, 14/8/73. Seen by me—J. L., L.-C. No. 1 Company, 14/8/73.

Received 19/8/73, J. W., Captain.

This memo. has been superseded by a subsequent one directing the re-assembly of the Court, on Wednesday, the 20th, at 7 p.m., it has not therefore been forwarded to Private Stacey.—J. W., Captain.

Memo.

Brigade Office, Sydney, 15 August, 1873.

THE Commandant wishes Major Raymond to give him the earliest information of the re-assembly of the Court of Inquiry of which he is President.

By Command,

W. HOLMES,

Pro Major of Brigade:

Memorandum.

THE Court of Inquiry on the case of Lance-Corporal Lees will re-assemble at this office on Wednesday next, the 20th June, at 7.30 p.m.

Captain Wells will be good enough to warn Lance-Corporal Lees and Private Stacey accordingly.

R. PEEL RAYMOND, Major,

President of the Court.

1st Batt. Office, 16/8/73.

Forwarded for Lance-Corpl. Lees' information, to be returned, 16/8/73.—J. W. Captn. Seen and returned to Captn. Wells, 18/8/73.—J.L., L.-Corpl. Recd. Noon, 19/8/73.—J.W. For Private Stacey's information, to be initialled and returned to me—urgent, 19/8/73.—J.W., Captn. Seen and returned, 19/8/73.—A.S.

Memorandum.

IN the matter of the Court of Inquiry convened under Brigade Order of 19th May, 1873, No. 81, and now sitting—the following evidences are required to attend same, and are hereby warned accordingly, at the request of Lance-Corporal Lees, 1st Sydney Battalion, Vol. Rifles, viz:—

Captain Davey, No. 4 Compy., 1st Battalion, V.R.		
„ Dickson,	8	do
Bugler Stock,	2	do
Private Dickson	1	do
„ Lest	2	do
„ Dougherty	3	do
„ Shoultz	3	do
„ Campbell	2	do
„ Hawkins	1	do
„ Deigan	4	do
„ Armstrong	4	do
„ Smith	5	do

The Court stands adjourned until Friday the 29th instant, at 7.30 p.m., and the evidences above-mentioned will be good enough to initial this paper as being "seen" by them.

The Court holds its sittings at the office of the 1st Sydney Battalion, Elizabeth-street.

R. PEEL RAYMOND, Major,

President of the Court.

1st Sydney Battalion Office, 28 August, 1873.

No. 15.

No. 1.

Major Shepherd to Lieut.-Colonel Richardson.

Sir,

Volunteer Artillery Office, Sydney, 29 August, 1873.

I HAVE the honor to draw your attention to a passage in your remarks on Captain Bamford's statement of improper conduct on the part of Captain and Adjutant Lett, of 10/8/73, in which you attach blame to me because I had not adopted a course of action which would have been inconsistent with my opinion as to the merits of the case, which opinion has since been verified by a statement of Captain Bamford, which I feel surprised you should have characterised as "eminently unsatisfactory," since it appears to me quite the reverse. It is with reluctance and great regret, therefore, that I note your refusal to withdraw your censure, as it seemed to me my conduct had been so fully justified by that explanation on the part of Captain Bamford, which you were good enough to sanction. I feel convinced that we both have the interests of the Vol. Artillery at heart, *our constant and animated differences of opinion* are evidence of the fact. Entertaining, then, this idea, I feel confident of your kind construction of the following suggestion, which I make out of pure desire to serve the Force under my command, viz., "our waiting together on the Premier in order (each in the other's presence) to go generally into those subjects of disagreement which have unfortunately (as in the present instance) intervened to prevent that unanimity and cordial co-operation between us, the absence of which has had a prejudicial effect upon it, with a view to obviate a recurrence of them in future."

I would further respectfully throw out a suggestion. Supposing Mr. Parkes' consent to arbitrate be obtained, that our implicit acceptance of whatever course he might recommend ought first to be secured to him; and it appears to me that the most effectual guarantee of this, and our earnestness in the matter, would be for each of us, at the outset, to place in his hands the unconditional resignation of our respective positions as regards the Vol. Artillery, resumable by one or both at his pleasure.

I for my part shall be perfectly willing to place myself in Mr. Parkes' hands, as I seek no personal advantage, but only desire to benefit the Force I am presumed to command, and it would highly gratify me if, in this one instance, you would kindly allow my suggestion to prevail. Having introduced Mr. Parkes' name in this letter without his authority, I shall make a point of communicating to him without delay the circumstances under which I have ventured to do so.

I have, &c.,

P. L. C. SHEPHERD, Major,
Comdg. Vol. Artillery.

No. 2.

[Matters having reference to this letter are contained in correspondence respecting Captain Bamford's case, ordered by the Legislative Assembly to be printed 14 January, 1874.—J.S.R., Lt. Col., 17/1/76.]

No. 16.

[Letter No. 91 of 6/11/71 will be found with Sergt. Worthy's case.—J.S.R., Lt.-Col.]

[Letter No. 98 appears in correspondence respecting Major Shepherd's application to be appointed Commandant of Volunteer Artillery, ordered by the Legislature to be printed 28 June, 1872.—J.S.R., Lt.-Col., Commandant.]

No. 17.

APPOINTMENT OF MAJOR BLACKMORE TO COMMAND
VOLUNTEER ARTILLERY.

No. 1.

Brigade Order.

Volunteer Brigade Office, Sydney, 25 January, 1869.

The Officer Commanding Volunteer Force is pleased to grant Major Shepherd, Vol. Artillery, leave of absence for one month, to proceed to Victoria on private affairs.

Major Blackmore will assume command of the Artillery during Major Shepherd's absence.

By Command,

THOS. BAYNES, Captain,
Brigade Adjutant.

No. 2.

Major Shepherd to The Officer Commanding Volunteer Forces.

Volunteer Artillery Office, Sydney, 11 January, 1870.

Sir,

I HAVE the honor to request that twenty-one days leave of absence be granted to me, from the 12th instant, to enable me to proceed to Victoria on urgent business.

I have, &c.,

P. L. C. SHEPHERD, Major,
Com. Vol. Artillery.

Approved.—R.P.R., Major, 12/1/70.

No. 3.

Brigade Order.

Volunteer Brigade Office, Sydney, 12 January, 1870.

The Officer Commanding Volunteer Force is pleased to grant Major Shepherd, Volunteer Artillery, 21 days leave of absence.

During the absence of the abovenamed officer, Major Blackmore will assume command of the Artillery Brigade.

By Command,

THOS. BAYNES, Captain,
Brigade Adjutant.

No. 4.

Lieut.-Colonel Richardson to Lieut.-Colonel Wilson.

Memo.—

Volunteer Brigade Office, Sydney, 13 January, 1876.

I CAN only find Major Blackmore has been in command of the Brigade during a portion of 1869, and again in 1870. Does Major Shepherd refer to these periods? I should be glad if Major Shepherd would indicate for my guidance the nature of the Minutes, &c., to which he alludes.

J.S.R., Lt.-Col., Commandant.

Major Shepherd would oblige by forwarding the required information.—W.W., Lt.-Col., V.A.
13/1/76.

I allude to the occasion upon which the Commandant placed Captain or Major Blackmore over my head, assigning to me a position on the Staff, at the same time indicating that I could only take command of the Brigade for drill purposes. I am not aware if any correspondence took place in reference to this matter, being placed for a time in a subordinate position; if so I should like it produced.—P.L.C.S., Major,
V.A., 14/1/76.

Forwarded.—W.W., Lt.-Col., V.A., 14/1/76.

I have no recollection of the case, but it is very probable I acted as Major Shepherd avers. I assume from his memo. that it was not on an occasion of assembly for drill purposes only, and therefore it must have been for inspection or review, and consequently my action in assigning him as *Officer Commanding the Artillery*, a position on the Staff, was strictly in accordance with the instructions laid down in the drill book (a practice I should generally carry out but for the paucity of mounted officers of Artillery). Had the occasion referred to been an assembly for drill purposes only, there would have been nothing unusual or improper in giving a subordinate officer the opportunity of command and conduct of manoeuvres as applied to his branch of the Force, and which is indeed a matter of every day occurrence in the Imperial Service. Major Shepherd's assignment to the Staff under such circumstances could in no respect make him subordinate to, or inferior in position, to Major Blackmore.—J.S.R., Lt.-Col., Comdt.,
14/1/76.

No. 18.

COURT OF INQUIRY, CAPTAIN ROSSI AND GOULBURN CORPS.

No. 1.

[Proceedings of Court of Inquiry appointed on the 24/12/73, to investigate and record an opinion upon certain matters connected with the conduct of Captain Rossi, Commanding the Goulburn Corps of Volunteer Rifles. Ordered to be printed by the Legislative Assembly, on the 11th December, 1874.—J.S.R., Lieut.-Col., Comdt., 14/1/76.]

No. 2.

HIS EXCELLENCY THE GOVERNOR to LIEUT.-COLONEL RICHARDSON:

Sir,

Government House, Sydney, 4 February, 1874.

I HAVE carefully considered the papers (herewith returned) in connection with the Court of Inquiry recently appointed to investigate the frequent disagreements in the Goulburn Volunteer Corps, and I concur in the general conclusions embodied in the Report.

It appears to me that the best course to adopt in the first instance, will be to forward a copy of the Report to Captain Rossi, as I feel sure that on perusing it his zeal for the Service will at once lead him to relinquish voluntarily a position which I am of opinion he can now no longer retain with advantage to the public or credit to himself.

I have also to request that you will convey to the President and Members of the Court my sense of the able and efficient manner in which they have conducted the inquiry entrusted to them.

I have, &c.,

HERCULES ROBINSON.

No. 3.

Brigade Major to Major Shepherd.

Sir,

Brigade Office, Sydney, 9 February, 1874.

I AM directed to annex, for your information and for communication to the members of the Court of Inquiry, recently appointed to investigate certain disagreements in the Goulburn Volunteer Corps, an extract of a letter from His Excellency the Governor, concurring in the general conclusions of the Report, and conveying his sense of the able and efficient manner in which the Inquiry was conducted.

I am also directed to return herewith the Second Report of the Court of Inquiry, originally sent to His Excellency the Governor, another having been substituted for it.

I have, &c.,

W. B. B. CHRISTIE, Capt.,
Major of Brigade.

No. 4.

Lieut.-Colonel Richardson to His Excellency the Governor.

Your Excellency,

Brigade Office, Sydney, 23 February, 1874.

I HAVE the honor respectfully to draw your attention to that portion of the Report of the last Court of Inquiry on Captain Rossi's case which has reference to myself, viz.: "With regard then to the charges contained in the memorial, the Court considers some of them to be of an unimportant character, and others to relate to cases which have been dealt with by Captain Rossi in strict accordance with his duty as Commanding Officer of the Corps; while in all they find that his action has been sustained either by advice or instructions from the Commandant."

2. I have to complain that the Court, by this opinion has not sufficiently discriminated between the really responsible actions of Captain Rossi and myself, but has seemingly, by its particular phraseology, thrust the entire responsibility upon me, and further that such opinion is neither warranted by the evidence or by facts.

3. I can assure your Excellency, that it is with extreme regret I have to trouble you in a matter which has already been of a most wearisome and annoying nature; but I feel that I should be failing in my duty towards both the Service and myself, were I not to offer a protest against the opinion above quoted; and I therefore respectfully ask your Excellency's permission to comment on the various charges, as also the deductions of the Court, where I may deem it necessary so to do.

4. With reference then to No. 1.—"Assault by Captain Rossi, &c. &c." I gave neither advice nor instructions.

No. 2.—"Assault by Captain Rossi, &c. &c." Reply as to No. 1.

No. 3.—"Resignation of two different Committees." The resignation of the First Committee was tendered and accepted by Captain Rossi apparently six weeks before I heard anything of the matter, when it was conveyed to me by letter asking my opinion and advice, which was accordingly given in letter of 30th November, 1869. The resignation of the Second Committee, which was apparently given in reference to me. From the opinion of the Court under this head, I deduce the fact that the resignations of these Committees were not brought about by any advice or instructions on my part, but in reality by Captain Rossi's want of tact.

No. 4. "Resignation of all the Corporals save one."—I gave advice on this subject, and the Court fully exonerates Captain Rossi, to which I take no exception.

No. 5.

No. 5. "Dismissal, apparently on trivial grounds, of Privates Chambers and Morris."—This matter was submitted to me by Captain Rossi; whereupon I directed Captain Baynes to proceed to Goulburn and inquire into the case, which resulted in establishing the fact that Privates Chambers and Morris were guilty of insubordinate and defiant conduct towards their commanding officer, aggravated by wilful disobedience of orders regarding uniform. I may observe that, not having personally received official information of this order cannot be held as an excuse, as they admitted themselves of the existence of the order, and were therefore bound to obey it. Private Morris further admitted that he did not comply with the order in question, on purpose that he might without prejudice to himself comment upon his commanding officer's conduct. The conduct of Privates Chambers and Morris appeared to me so highly improper that I could not but come to the conclusion that Captain Rossi's report as to the disaffected and disorganized state of the corps, as described in his letters of the 9th November, 1869, and 11th April, 1870, had some grounds, and that consequently an example was necessary. I accordingly recommended Captain Rossi to dismiss these men. It is to be noted that neither Chambers or Morris availed themselves of the privilege of appeal, and it therefore may be assumed that they acquiesced in the propriety of their punishment. The Court thinks that a severe reprimand would have been "a more fitting punishment than dismissal"; I do not.

No. 6. "Appointment as sergeant of Private Hayley, &c., &c."—Reply as to No. 1.

No. 7. "The order to Private Robertson, when in plain clothes, to give the military salute, &c., &c."—Captain Rossi reported by letter the circumstances connected with this case, also inquiring if he would not be justified in dismissing Private Robertson from the corps (which latter portion of the letter has for some reason or other been suppressed). I accordingly wrote a memo. commenting *unfavourably* on Captain Rossi's conduct, as also on that of Private Robertson. The subsequent application for permission to read second portion of memo. did not warrant Captain Rossi doing it in the objectionable way described by Private Robertson in his evidence.

No. 8. "Dissolution of the Rifle Association, &c. &c."—Captain Rossi, in note to Capt. Baynes, states that the honorary secretaries of two Volunteer Corps (one of which was the Goulburn Corps) had arranged a match without reference to himself as commanding officer, to which he objected; also inquiring if he could not forbid the use of the targets; to which Captain Baynes replied that no match could take place without the consent of the officers commanding the corps in question, and that under the circumstances he would be justified in forbidding the use of the targets—and it is to be noted that no reference to the Rifle Association was made in this case. A fortnight afterwards, however, the following question was submitted, viz.:—"Whether Rifle Association at Goulburn can accept matches with companies, Volunteer Force, without consent of commanding officers," to which I reply "Certainly not; everything should be done through and with the consent of commanding officers." Here, I submit, there is nothing to show that I advised Captain Rossi to refuse the targets to the Rifle Association; the Court however is of opinion that "Captain Rossi had a right to refuse the targets; but he might have avoided all difficulty by exercising his undoubted authority with more consideration towards the Association." I am not responsible for that officer's want of consideration.

No. 9. "Public reprimand of Corporal (now private) Clarke, &c. &c."—*I gave no authority for any public or other reprimand*, and I do not think that the advice asked for, and given in a private note as follows, can be construed as such, viz.:—"Dear Captain Rossi,—I should point out to Corporal Clarke that he has been guilty of a breach of discipline in commenting on the conduct of his superior officer, and caution him to refrain from such a course in future." I quite incline to the opinion of the Court, that this advice so administered in public by Captain Rossi was unjustifiable, and amounted to a reprimand; but I submit that had my advice been followed in its integrity it would have been proper to the case, as it is obvious that Corporal Clarke, even at a non-military meeting, did commit a breach of discipline when he alluded to the conduct of his commanding officer, in the discharge of his duty as such, in terms of disparagement. I may here remark, that this obligation on the part of Volunteers was recognized by the late Governor in a case of somewhat similar nature.

No. 10. "The dismissal of Private and Secretary Martyr, &c., &c."—When requested by Captain Rossi to advise him with reference to Mr. Martyr's case, I replied, "If I were in Captain Rossi's place, I should dismiss the Volunteer referred to from the corps for insubordinate conduct." Captain Rossi did so dismiss him—Mr. Martyr appealed—a Court of Inquiry assembled and recorded an opinion adverse to that appeal, and the dismissal was confirmed by His Excellency the Governor; thus demonstrating that in the fact of dismissal Captain Rossi was justified. The gist of the complaint however appears to be, that Mr. Martyr was dismissed unheard. I am of opinion that he was virtually heard, for it appears that at a committee meeting he made use of improper language, and accused his commanding officer of "tampering" with the minutes; he confirmed the use of those words by an insertion of them in the minute-book, and at a subsequent meeting, when his commanding officer afforded him an opportunity of withdrawing the objectionable words, he refused,—thus definitely, and I may add defiantly, accepting the responsibility of his action. What necessity was there then for any further inquiry, as everything connected with the case seemed perfectly clear? There can be no question but that an officer commanding a corps can, under the Volunteer Act, summarily discharge a Volunteer from his corps without further inquiry than is necessary to satisfy himself *as to the existence of sufficiency of the cause of such discharge*; and further, it may be with benefit to the corps when, for the sake of example, it may seem desirable that the punishment should follow as speedily as possible the commission of the offence. These, I admit, would probably be very rare cases.

No. 11. "Summoning Mr. Martyr before the Police Court, &c., &c."—Reply as to No. 1.

No. 12. "Disputes between the members of the Band, &c., &c."—Reply as to No. 1.

No. 13. "Attempts supported by threats, &c., &c."—Reply as to No. 1.

No. 14. "Increasing the weekly subscription, &c., &c."—Reply as to No. 1.

No. 15. "Dismissal of Private Paris."—The entire responsibility of this dismissal must rest with Captain Rossi, who inflicted this penalty prior to the 21st November, 1871; and I only heard of it by letter dated the 9th December following, and any opinion then given adverse or otherwise to Captain Rossi's action could not have influenced what was already *un fait accompli*. Mr. Paris in his evidence states he forwarded an appeal to me; I never saw it, nor can I find any record in the office concerning it in any respect.

No. 16. "Several Police Office cases, &c., &c."—Reply as to No. 1.

No. 17. "Imperfect and unsatisfactory manner of keeping the Company accounts."—Reply as to No. 1.

It would thus be apparent to your Excellency, that I neither gave advice or instructions with regard to nine of these cases; and in others, where an adverse opinion has been recorded, not because of any action of mine, but is attributed by the Court solely to Captain Rossi's injudicious conduct; whilst the detail of circumstances connected with the remainder will enable your Excellency to determine how, and to what extent, I am to be considered responsible.

In conclusion, I cannot but feel that I have been placed in a false position in the matter of these discharges, as the Volunteer Act vests the sole power of discharge, not in myself, but in the officer commanding the corps, together with the responsibility of determining "*the existence and sufficiency of cause of discharge*," nor can he delegate such responsibility to others. My advice was given on the supposition that the matter submitted for opinion contained a full, true, and particular account, and was therefore provisional; and my memoranda contained no directions, but were confined to either a recommendation or expression of opinion, which could either be followed or not.

I have, &c.,
JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

No. 5.

HIS EXCELLENCY THE GOVERNOR to LIEUT.-COLONEL RICHARDSON.

Sir,

Government House, Sydney, 25 February, 1874.

I HAVE to acknowledge the receipt of your letter of the 23rd instant, calling my attention to that portion of the Report of the last Court of Inquiry on Captain Rossi's case which has reference to yourself, and submitting some observations on the subject.

I had myself noticed, when first reading the Report, the paragraph to which you refer; but I did not think it necessary to call for explanation or correction, as it appeared to me obvious that the passage in question expressed through inadvertence an opinion which the Court could not have intended to convey. The Court divided the charges into three classes, viz. :—

1. Those which were unimportant;
2. Those in which Captain Rossi was clearly right; and
3. Those in which he was held to have shown want of tact, judgment, or consideration.

As regards the cases in the first two classes, it was of course immaterial whether Captain Rossi acted on your advice or not, and it must have been clear to the Court that in nearly all these instances he had held no communication with you whatever. I accordingly understood the Court to mean "*while in all the rest*" instead of "*while in all*," and I read the passage in that sense.

Viewed in the light of this correction the statement is not strictly inaccurate, although it is, as you have shown, susceptible of explanation as far as you are concerned.

There were in all seventeen charges. In nine you gave neither advice nor instructions. In one you gave advice, but the course adopted by Captain Rossi was admittedly right. Whilst as regards the remaining seven cases (Nos. 3, 5, 7, 8, 9, 10, and 15), it appears that you did express opinions, either before or after Captain Rossi had taken action, which to some extent perhaps may be said to have "sustained" him in the course which he adopted in each case.

In cases 3 and 15 your opinion was expressed several weeks after Captain Rossi had taken the action complained of; and although it may have "sustained him" in his view, it cannot be said to have influenced his decision or excused his want of tact.

In cases 5 and 10 you appear to have advised dismissals.

The Court find the parties accused guilty of the offences with which they were charged, but consider the cases might have been dealt with differently. This is a mere matter of opinion which calls for no remark.

In the remaining three cases, Nos. 7, 8, and 9, your opinion may be said to have "sustained" Captain Rossi to some extent in his view of the original merits of the disputes, without in any way justifying the extreme lengths to which he proceeded in disposing of each case. For example, your opinion that Private Robertson would have shown a better spirit if he had complied with his Captain's request for a salute, did not justify Captain Rossi's mode of communicating that opinion to his company. Again, the information conveyed by you as to Captain Rossi's legal rights in the matter of the targets, does not exonerate Captain Rossi from the charge of enforcing his rights with such want of consideration as to lead to the dissolution of the Rifle Association.

So too, in the last case under consideration, No. 9, it is clear that although your opinion to a certain extent "sustained" Captain Rossi in his own conclusions as to the impropriety of Private Clarke's conduct, it in no way justified the action which he took upon it of administering to the Volunteer in question a public reprimand.

I am aware how difficult it is for an officer in your position to refuse altogether to give advice and counsel to unprofessional Commanding Officers, when they find themselves in difficulties which, from a want of military experience, they may feel themselves unequal to deal with. But I think that in cases in which the law places power in the hands of Commanding Officers, it would be better as a general rule that they should be left as far as possible to exercise their powers to the best of their own judgment, and upon their own responsibility, subject of course to the revision of superior authority.

If the Commandant expresses in the first instance his opinion as to the merits of any petty dispute between a Commanding Officer and a subordinate, and advises the Commanding Officer to adopt a certain course, the subordinate, if he should consider himself aggrieved, will naturally feel that he is deprived of the right of appeal to an impartial superior authority, his conduct having been already prejudged by the Military Head of the Department upon an *ex parte* statement of the case.

I have, &c.,
HERCULES ROBINSON.

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

VOLUNTEERS.

(MAJOR SHEPHERD'S CASE—FURTHER CORRESPONDENCE.)

Ordered by the Legislative Assembly to be printed, 27 January, 1876.

COMMANDANT'S Report to His Excellency the Governor of Major Shepherd's breach of discipline in taking steps to obtain Parliamentary interposition on a question of a disciplinary nature then existing between the Commandant and himself.

J.S.R., Lt.-Col.,
Commandant.

27/1/76.

LIEUT.-COLONEL RICHARDSON to HIS EXCELLENCY THE GOVERNOR.

Brigade Office,
Sydney, 27 September, 1872.

YOUR EXCELLENCY,

It is with much regret I have to trouble you with enclosed correspondence having reference to Major Shepherd, Commanding Volunteer Artillery Brigade, to which I am, however, necessitated, in the hope of checking a practice which is gaining ground and operating very prejudicially on the discipline and interests of the Volunteer Force: I allude to Volunteer Officers and others appealing unnecessarily to Parliamentary and political interposition on matters of a purely military nature. I say unnecessary, as the proper channel for inquiry and redress is always available.

I beg to observe, with reference to the case in point, that Major Shepherd, in his letter of the 20th July last, having made, in my opinion, a somewhat too reckless and, in the main, incorrect statement, to the effect that "numerous losses of papers had resulted from their passing through an unnecessary channel" (which has since been explained as meaning an officer of my Staff), I considered it necessary, as imputing blame to the department under my immediate control, to call upon him to substantiate his statement, which however, after some evasive replies, he fails to do, urging as a reason that neither of us are able to command the evidence of Messrs. Deane and Drinkwater, formerly of the Volunteer Force, and that consequently he has placed the matter in the hands of a Member of the Legislative Assembly, with a view to a public inquiry.

This argument in support of the necessity of such a course is apparently nullified by Major Shepherd's remarks in his memo. 24/8/72, and letter of the 9th September, in which he intimates that the evidence referred to would be forthcoming on my application, and I am unable for very cogent reasons to suppose that the same evidence would be withheld from him.

In conclusion, I have respectfully to submit that Major Shepherd's action in this matter is neither consistent with discipline or the customs of the Service, and consequently damaging to the interests of the Volunteer Force as a military body.

Awaiting your Excellency's instructions,—

I have, &c.,
J. S. RICHARDSON, Lt.-Col.,
Commandant.

[Enclosures.]

- Memo. from Brigade Office, 26/7/72.
- Letter from Major Shepherd, 30/7/72, with following Minutes written thereon:—
 - From Commandant, 5/8/72.
 - From Major Shepherd, 7/8/72.
 - From Commandant, 12/8/72.
 - From Major Shepherd, 13/8/72.
 - From Commandant, 20/8/72.
 - From Major Shepherd, 24/8/72.
 - From Commandant, 28/8/72.
- Note from Major Shepherd, 30/8/72.
 - from Commandant, 2/9/72.
 - from Major Shepherd, 4/9/72.
 - from Commandant, 5/9/72.
 - from Major Shepherd, 9/9/72.

I have to observe no reply to this report has ever been vouchsafed me.—J.S.R., Lt.-Col., 27/1/76.

Brigade Office,
Sydney, 26 July, 1872.

MEMO.—The Officer Commanding Volunteer Artillery Brigade will be good enough to forward to this office without delay, a return showing the quantity of shot and shell that has been fired from the new Batteries by the Corps under his command, as the return previously rendered cannot be found.

By Command,
A. F. FITZSIMONS, Major,
Major of Brigade.

MAJOR SHEPHERD to LIEUT.-COLONEL RICHARDSON.

Volunteer Artillery Office,
Sydney, 30 July, 1872.

SIR,

I have the honor to inform you that immediate steps will be taken to supply you with a copy of the return required by your memo. dated 26 July, 1872, to replace the one which has been lost.

Permit me here to call your attention to the numerous losses of papers which have resulted from their passing through an unnecessary channel instead of direct, as formerly, a course I have invariably protested against from your first initiation of it.

I have, &c.,
P. L. C. SHEPHERD, Major,
Com. Vol. Artillery.

I have to call upon Major Shepherd to substantiate his statement concerning the numerous losses of papers quoted herein.—J.S.R.; Lt.-Col., Comdt., 5/8/72, B.C.

The cases immediately occurring to me in which papers have gone astray or been misplaced, are:—

1. Portions of Capt. W. Deane's correspondence, moved for in Parliament.
2. Captain Bamford's do. do., on more than one occasion.
3. Papers connected with a Court of Inquiry upon Sergeant-major Drinkwater.
4. Papers connected with the recommendation of Mr. Nathan for a Commission.
5. Papers named in this letter.

It is fairly presumable that the Commandant is aware of all circumstances transpiring in the departments under his control, in which case it would be superfluous for me to substantiate the foregoing instances. Should it really be the case however that he is in ignorance of any of them, I shall be happy to substantiate such.—P.L.C.S., Major, Com. V.A., 7/8/72.

I should wish Major Shepherd to substantiate his statements to the effect that the loss of the papers he enumerates occurred in this office.—J.S.R., Lt.-Col., Comdt., 12/8/72, B.C.

Will the Commandant kindly re-peruse my letter and memo.; a cursory perusal of them has evidently led him into an erroneous conclusion. I have nowhere stated that the losses of papers occurred *in his office*, but *during their transit through an unnecessary channel*, and my offer to "substantiate" was contingent on the Commandant being in ignorance of any of the instances quoted. Will he therefore be good enough to inform me if such be the case.—P.L.C.S., Major, Com. V.A., 13/8/72.

I have to request Major Shepherd to substantiate his statement concerning the loss of papers which he quotes as having occurred in consequence of passing through (in his opinion) an unnecessary channel; viz., the Brigade Office.—J.S.R., Lt.-Col., Comdt., 20/8/72.

The Commandant mistakes—I refer to the *Brigade Adjutant, V. A. Brigade*, not to the Brigade Office. For the substantiation he demands, the Commandant is respectfully referred to the "gentlemen and correspondence" named in my memo. 7/8/72. I think the Commandant is not fairly entitled to insist on any explanation from me to himself *individually*, unless he first *deny the truth* of my assertions or records his ignorance as to the matter in question. A *private* substantiation moreover would be of no advantage to the *Public Service*; and I therefore propose that, should further substantiation than that I have pointed out be desired, I would prefer giving it before a Select Committee of the House, as being more likely to conduce to the good of the Service.—P.L.C.S., Major, Com. V.A., 24/8/72.

I look to Major Shepherd alone for his substantiation of the statement contained in his letter; and therefore, as I am ignorant of the "numerous losses of papers (including those quoted in memo. 7/8/72) which have resulted from their passing through an unnecessary channel," I have for the fourth time to request him to substantiate his statement, which he professes to be able to do, in last paragraph of memo. above referred to.—J.S.R., Lt.-Col., Comdt., 28/8/72, B.C.

MAJOR SHEPHERD to LIEUT.-COLONEL RICHARDSON.

Darling Nursery,
Sydney, 30 August, 1872.

MY DEAR COLONEL,

The substantiation of the loss of papers can only be effected by Parliamentary means, because I shall require evidence which neither you nor I can command, and I shall therefore proceed in the business with all possible despatch, unless, as Head of the Force, and in the interest of the Public Service, you prefer to undertake it yourself. The pressing necessity for the proposed inquiry into the case is evident from the fact that you have been kept in ignorance of so serious a matter as that in question.

Yours very truly,
P. L. C. SHEPHERD.

LIEUT.-

LIEUT.-COLONEL RICHARDSON to MAJOR SHEPHERD.

Brigade Office,
2 September, 1872.

DEAR MAJOR SHEPHERD,

Kindly furnish me with a list of the evidence you propose to call, when I shall be able to form a better opinion as to the course you propose should be adopted for the substantiation of your statement; also, please return your letter of the 30th July last, with memoranda thereon.

Yours, &c.,

JOHN S. RICHARDSON.

MAJOR SHEPHERD to LIEUT.-COLONEL RICHARDSON.

Darling Nursery,
Sydney, 4 September, 1872.

DEAR COLONEL RICHARDSON,

The difficulty exists, as regards Messrs. Deane and Drinkwater, who are no longer in the Force, and whose evidence I must have. Official letter returned herewith.

Yours very truly,

P. L. C. SHEPHERD.

LIEUT.-COLONEL RICHARDSON to MAJOR SHEPHERD.

Brigade Office,
5 September, 1872.

DEAR MAJOR SHEPHERD,

I should not have imagined you would experience the slightest difficulty in procuring the evidence of Messrs. Deane and Drinkwater; at all events, my proper course of action is to move His Excellency the Governor to issue such instructions as will be necessary to have the affair investigated in such a manner as is consonant with the maintenance of discipline and the custom of the Service in like cases. I consider the discipline of the Volunteer Force is materially weakened by appeals to Parliamentary interposition, when the proper channels are available, both for inquiry and redress.

Yours, &c.,

JOHN S. RICHARDSON.

MAJOR SHEPHERD to LIEUT.-COLONEL RICHARDSON.

Darling Nursery,
Sydney, 9 September, 1872.

DEAR COL. RICHARDSON,

In reply to yours of 5th instant, which I have but this moment received, I have already placed the matter in the hands of one of the Members of the Assembly.

In concluding this correspondence, I refer you to my official memo. of 24/8/72, in which I pointed out a method by which you might have ascertained (had you so pleased) the correctness of my statement.

Yours very truly,

P. L. C. SHEPHERD.

PAPERS in connection with a Deputation of Volunteer Artillery Officers to the Honorable the Colonial Secretary, in 1870.

J.S.R., Lt.-Col., 27/1/76.

CAPTAIN LETT to THE BRIGADE ADJUTANT.

Volunteer Artillery Office,
Sydney, 5 August, 1870.

SIR,

I am directed to state, for the information of the Officer Commanding Volunteers, that in pursuance of the permission accorded to him, a deputation, consisting of Majors Shepherd and Blackmore and Captain Clarke, V.A., have been appointed to wait upon the Hon. the Colonial Secretary with reference to matters connected with the Volunteer Artillery Force.

As it is the wish of the deputation that they should be accompanied by the Lieut.-Colonel Commanding, I have the honor to request that I may be informed whether Lieut.-Colonel Richardson has any objection to accede to this desire.

I will thank you to inform me as soon as possible when the Colonial Secretary will be prepared to receive the deputation.

I have, &c.,

CHS. A. W. LETT, Capt.,
Adjutant, V.A.

DEPUTATION OF ARTILLERY OFFICERS TO THE COLONIAL SECRETARY.

1. DAWES' Battery to be handed over to V.A. (including Officers' Quarters, &c.), for affording accommodation and facilities for managing interior economy to several Batteries.

2. Superintendence of Instruction and all Drills (including Recruits) to be under Off. Comg. V. A. Br.

3. Additional Instructors (certified) to be sent out from Woolwich.
4. Charge of stores, batteries, &c., to be under Offr. Comg. V. A. Br.
5. Appointment of Off. R. A. as paid Adjutant, and Sergt.-major.

P.L.C.S., Major, Com. V.A., 16/8/70.

With reference to the several paragraphs, I have to observe as follows:—

1. Approved.
2. That is the present arrangement, except as to the marching drill of recruits.
3. A first class man would certainly be an advantage.
4. This arrangement I intend to carry out when the batteries are apportioned.
5. Relative to an Adjutant, carried out.

J.S.R., Lt.-Col., 17/8/70.

MEMO. FOR THE OFFICER COMMANDING VOLUNTEER FORCE.

THE deputation appointed to wait upon the Hon. the Colonial Secretary with reference to matters connected with the Volunteer Artillery, beg leave to submit the following observations to the Officer Commanding Volunteer Force:—

1. While expressing satisfaction that a portion of their recommendations have been adopted, the deputation regret to observe that the whole of their suggestions have not been carried into effect, nor have any of them been thoroughly complied with.

2. The deputation would remind the Officer Commanding of the conversation held with him prior to their interview with Mr. Cowper, when it was distinctly stated that (with the exception of the arrangements for accommodation) the whole of the recommendations *had been or were being* carried out.

3. With reference to the appointment of Adjutant, the deputation would respectfully take leave to state that, in their opinion, the usefulness of that officer is seriously lessened by his services not being *wholly* devoted to the Volunteer Artillery as intended. They consider also that much inconvenience will arise from the fact of Captain Hopkins living at a considerable distance from the head quarters of the brigade.

4. It may also be stated that the partial accommodation now afforded at Dawes' Battery is likely to be much hampered by persons unconnected with the Volunteer Artillery occupying any portion of the premises there, with the exception of the quarters lately occupied by Colonel Cartheu.

5. As the deputation wish to submit the result of their labours to the officers who appointed them, they would respectfully request that the whole of their suggestions may be carried out, as intended, as soon as possible.

On behalf of the officers forming the deputation,
P. L. C. SHEPHERD, Major,
Commanding V. A.

MAJOR BLACKMORE to MAJOR SHEPHERD.

Head Quarters, Sydney,
25 October, 1870.

SIR,

I have the honor to enclose draft letter to the Officer Commanding Volunteer Force, and at same time most respectfully to state that, as I consider the points conceded amply sufficient to enable the officers of the Volunteer Artillery Brigade to do their duty efficiently, I beg to withdraw from the deputation, further action appearing to me unnecessary.

I have, &c.,
E. BLACKMORE, Major,
V.A.

Major Commanding Volunteer Artillery Brigade, to Lieut.-Colonel Richardson.

Head Quarters, Sydney,
25 October, 1870.

Sir,

The members of the deputation on behalf of the Volunteer Artillery, having further considered the several points discussed at the interview held with you on the afternoon of Thursday the 20th instant, are of opinion that the requests of the officers have been fully met, and that the following is the substance of each point granted:—

The Officer Commanding Volunteer Force having stated to the members of the deputation, Majors Shepherd and Blackmore, and Captain Clarke, that the Brigade Adjutant, Captain Hopkins, would at all times attend when desired by the Officer Commanding Volunteer Artillery Brigade, for the purpose of giving instruction in drill, &c., to the members of the Volunteer Artillery Brigade, and that he would further give the Officer Commanding the Volunteer Artillery Brigade any assistance in his power in promoting generally the welfare of the corps.

2. That the Acting Staff Brigade Sergeant-major was stationed at Dawes' Battery to take charge of stores, and was to act under the orders of the Officer Commanding Volunteer Artillery Brigade with reference thereto.

3. That the Instructors are placed under the Brigade Adjutant, Captain Hopkins, and under the Officer Commanding Volunteer Artillery Brigade. Any misconduct or dereliction of duty is to be brought under the notice of the Officer Commanding Volunteer Force, through the Officer Commanding Volunteer Artillery Brigade.

4. That the batteries, stores, guns of all descriptions, are all placed in charge of the Officer Commanding Volunteer Artillery Brigade. All requisitions are to be made by him, and fatigue men are detailed for doing such fatigue duties as are necessary.

I have, &c.,
On behalf of deputation,
Major,
Commanding Vol. Arty. Brigade.

MAJOR

MAJOR BLACKMORE to LIEUT.-COLONEL RICHARDSON.

Recd. and forwarded, 29/10/70.—P. L. C. S.

Head Quarters, Sydney,
28 October, 1870.

SIR,

With reference to the remarks you made, on the 20th instant, to Major Shepherd, Captain Clarke, and myself, as members of a deputation from the officers of the Volunteer Artillery, relative to the present state of indiscipline and inefficiency of the brigade, I feel it due to myself to offer the following explanations, as I cannot feel that it is owing to any negligence or dereliction of duty on my part that the brigade is in its present state; but that on the contrary, as far as I had the power, I have always endeavoured to enforce proper discipline—a task of considerable difficulty, as other officers have, by their acts and openly expressed sentiments of an opposite character, promoted and fostered a spirit of insolence and insubordination among the members of the Force against all constituted authority.

Ever since the 30th September, 1868, when, on my promotion, I handed over No. 1 Battery V.A. to Captain Moriarty, I have had no regular detailed duty assigned to me.

I have merely been required to take command of a portion of the brigade on Field-days—generally the batteries parading with carbines as an infantry battalion; but I have never had an opportunity of drilling them as a battalion previously to a Field-day, except during two short periods when Major Shepherd was on leave of absence, and I was consequently in temporary command.

As I was fully aware of the indiscipline prevailing throughout the brigade, I availed myself of one of these opportunities; in February last, to make an inspection of each battery when at drill under their own officers, as prescribed in No. 2 of Brigade Order of 4th August, 1868; and finding that many of those gentlemen were utterly ignorant of their duties, I considered it my duty to make a fair and impartial report to you, with a recommendation (among others) that each battery should be inspected once a month by a Regimental Field Officer, as laid down in the Brigade Order above referred to, and a certificate to that effect forwarded quarterly,—that the Battery officers should be required to go through a course of drill by the Adjutant once a year, under the direction of a Field Officer.

I know, as a matter of fact, that this report was referred to Major Shepherd on his return from leave of absence. None of these suggestions were adopted. Had they been, I cannot but think that the Artillery would have been *now* in a much more satisfactory state.

As I observed that the regulations about uniform were neglected at battery drills by officers as well as members of the Force, I issued at least one order on the subject, which is to be found in the Volunteer Artillery Brigade Order-book, and sent it round for the officers' signatures.

There has never been any unwillingness on my part to undertake any duty; and I am confident that when I was Captain in command of No. 1 Battery there was no corps in the Volunteer Force where, in the face of very great opposition and insubordination, discipline was more strictly enforced, nor one that mustered better for parade and drill.

I would therefore most respectfully submit that if I am to be held in any way responsible *hereafter* for the general efficiency of the Volunteer Artillery Brigade, or any part of it; I should have certain detailed regular duties, for the due performance of which I should of course be responsible to Major Shepherd; but that if such detailed duties are not assigned to me, I cannot with any fairness be held responsible.

In conclusion, I have to request that should you submit the question of the Artillery's efficiency to the Governor, as you intimated you might find it necessary to do, you will do me the favour to allow this letter to be appended as a vindication of myself.

I have, &c.,

E. BLACKMORE, Major,
Volunteer Artillery.

MAJOR SHEPHERD to LIEUT.-COLONEL RICHARDSON.

Volunteer Artillery Office,
Sydney, 3 November, 1870.

SIR,

The members of the deputation in behalf of the Volunteer Artillery having further considered the several points discussed at the interview held with you on the afternoon of Thursday the 20th ult., are of opinion that the requests of the officers have been [so far as is possible, according to your opinion, with the existing Regulations] conceded, and that the following is the substance of each point granted:—

The Officer Commanding Volunteer Force having stated to the members of the deputation, Majors Shepherd and Blackmore and Captain Clark,—

1. That the Brigade Adjutant, Captain Hopkins, would at all times attend when desired by the Officer Commanding Volunteer Artillery, for the purpose of giving instruction in drill, &c., to the members of the Volunteer Artillery; and that he would further give the Officer Commanding Volunteer Artillery every assistance in his power, in promoting generally the welfare of the Corps.
2. That the Acting Staff Brigade Sergeant-major was stationed at Dawes' Battery to take charge of stores, &c., and was to act under the orders of the Officer Commanding Volunteer Artillery with reference thereto.
3. That the Instructors are placed under the Brigade Adjutant, Captain Hopkins, and under the Officer Commanding Volunteer Artillery. Any misconduct or dereliction of duty is to be brought under the notice of the Officer Commanding Volunteer Force through the Officer Commanding Volunteer Artillery.
4. All requisitions are to be made by the Officer Commanding Volunteer Artillery, and fatigue men are detailed for doing such fatigue duties as are necessary.
5. The deputation, however, regret that it has not been deemed desirable to have the officer in charge of the Instructors of the Force resident at Dawes' Battery.

I have, &c.,

P. L. C. SHEPHERD, Major,
Com. Vol. Artillery.

The words in brackets, as well as paragraph 5, are not agreed to by Major Blackmore.

CAPTAIN HOPKINS to MAJOR SHEPHERD.

Brigade Office,
Sydney, 14 November, 1870.

SIR,

I have the honor, by direction, to acknowledge the receipt of your letter of the 3rd instant, No. 61, having reference to the proceedings of the deputation of Artillery Officers, and the Officer Commanding Volunteer Force, and to state that, as it may be presumed the former have concluded their duties in connection with the same, the Officer Commanding desires a general meeting of the Officers of the Artillery Brigade.

I have, &c.,
S. HOPKINS, Lt., R.A.,
Capt. and Bde.-Adj., V.A.

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

VOLUNTEER FORCE.

(FURTHER PAPERS RESPECTING CAPTAIN BAMFORD'S CASE.)

Ordered by the Legislative Assembly to be printed, 16 February, 1876.

LIEUT.-COLONEL RICHARDSON TO THE PRINCIPAL UNDER SECRETARY.

Brigade Office,
Sydney, 9 February, 1876.

SIR,

I have the honor to forward additional papers in Captain Bamford's case, which in the hurry of the preparation of voluminous documents were overlooked, and to request the Honorable the Colonial Secretary will be pleased to cause them to be placed on the Table of the House as part of the correspondence in that case, with as little delay as possible.

I have, &c.,
JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

MAJOR CLARKE TO THE COMMANDANT.

Sydney, 2 March, 1874.

SIR,

In justice to the Court which was charged with the investigation into the circumstances connected with Gunner Lockyer's dismissal, I cannot, as President of that Court, allow to pass without comment certain paragraphs which appear in the recently-published Parliamentary paper having reference to Captain Bamford.*

I regret that the second Court would not allow the evidence taken before the first Court to be produced at the second investigation, as the evidence of Captain Bamford himself would have proved what he stated to the second Court had not been proved. I allude to what he terms "facts" 7 and 8. Of fact 7 he says—"no evidence to show this," and "facts not supported by evidence as 7 and 8." A reference to the names in the margin† will prove the truth of the statement independently of Captain Bamford. The list shows that twenty-nine names were forwarded, and that thirty persons attended the encampment; but it will be found that seven persons whose names had not been forwarded were present in addition to Lockyer, and that seven persons whose names had been forwarded did not attend. The coincidence in these numbers seems to me, at least, remarkable. After this I do not quite see the force of Williams's evidence at p. 12—"that he was not aware that any person attended the encampment who had not complied with that order."

As Captain Bamford would not allow the proceedings of the former Court to be handed in, I am at a loss to know from whom he obtained the word "fact" upon which he harps so frequently, and which he quotes from a document *not before the Court*. (See p. 17.)

I apply myself to Captain Bamford's distortion of what he terms "facts" for the sake of the reputation of the first Court, whose conclusions Captain Bamford has been allowed to ridicule without protest. (See pp. 15-17.)

Fact No. 1—Lockyer's name given in on 12 Feb.—Lockyer's letter, stating that he sent in his name by M'Kellar on 12 February, was never assailed by Captain Bamford on this point, though the latter could

* *Vide* p. 17, Report, fact 7—"That persons were permitted to attend the encampment who had not complied with the Battery Order in any respect."

† Names of persons sent in 13 Feb., 1873, who have been credited with attendance:—1, Lieut. Nixon, 2, Quartermr.-sergt. Fairfax; 3, Sergt. Williams; 4, Bomb. Pearce; 5, Bomb. Keele; 6, Gunner Adams; 7, Gunner Pennett; 8, Gunner T. Barry; 9, Gunner Chapman; 10, Gunner Coleman; 11, Gunner Fitzgerald; 12, Gunner Hughes; 13, Gunner Jones; 14, Gunner Lucas; 15, Gunner M'Kellar; 16, Gunner Monday; 17, Gunner Selwyn; 18, Gunner Tombs; 19, Gunner Wishart; 20, Gunner Redgrave; 21, Trumpeter Mason; 22, Trumpeter Rigg.

Names of persons sent in 13 Feb., 1873, who did not attend:—23, Sergeant-major Byrne; 24, Corporal Barry; 25, Gunner Johns; 26, Gunner Kyd; 27, Gunner Lislie; 28, Gunner Hall; 29, Gunner Bowmaker.

Persons who attended at camp, but whose names had not been sent in 13 Feb., 1873:—Rogers, Moon, R. Barry, Holland, Mulholland, Skawath, Tunks. 30. Lockyer.

could have called any evidence he pleased to contradict it. Captain Bamford never protested against the decision of the Court as to not allowing him to be present. He was not directly "charged," and was allowed to give his own evidence.

Captain Bamford led the first Court clearly to understand that his *only* objection against Lockyer was his non-attendance for the purpose of handing in his name himself. He said, in reply to a direct question on the point from the Court—"I approved of Lockyer's name being rejected because Lockyer did not attend in person to give it." Which certainly implies that it *had* been given before it could be rejected.

It is quite *possible* that M'Kellar *forgot* to give in Lockyer's name, but when he did so (according to S. M. Byrne's evidence, p. 12), "week before Good Friday" (that is, 4th April), only three or four days had elapsed; not as M'Kellar states, fifty-one days,—this latter a date the giving in of Lockyer's name just twenty-one days after his letter of complaint had reached Captain Bamford.

M'Kellar's evidence is therefore, as far as time is concerned, valueless.

The Court had no doubt whatever of the truth of Lockyer's statement after perusal of the documentary evidence, coupled with Captain Bamford's oral evidence as to the ground of his refusal to take his name.

It is remarkable that Byrne states that M'Kellar called *at his office* about 16th February, for the purpose of handing in Lockyer's name. This Lockyer could have done himself without proxy. The inference is, therefore, that M'Kellar had been asked *previously* by Lockyer to hand in his name on the proper evening.

The neglect of attending to the "cautions" stated by Sergeant Williams to have been read by him (of which cautions, however, no record exists as to wording or authorship, and which were necessarily inoperative unless published in the usual manner, even if allowable at all) did not appear to the Court to be of any value in connection with the Battery Order itself, as such order does not *prohibit* anybody who had not given in his name on the proper day, either personally or by proxy.

It seemed to the Court that the ground first taken up by Captain Bamford had been abandoned by him as untenable, *subsequently* to Lockyer's letter of 13th March, forwarded *through Captain Bamford to the Commandant*, for on the 26th March Lockyer is served with a "memorandum" wholly irrelevant to his supposed *neglect* (and *neglect only*) of the Battery Order about which alone the appeal had been made. The Court therefore failed to see the justice of giving a general invitation to every one on the 22nd March, and on the 26th (four days after) peremptorily forbidding Lockyer from availing himself of it, *because* he had (*though at Captain Bamford's own recommendation*) appealed to a higher tribunal. "The matter was," as he states in his letter of 18/4/73, "*entirely out of his hands*," and his subsequent *interference* imperilled justice.

Captain Bamford's witticisms on "facts" 8, 10, and 12 are almost unworthy of notice, but I may observe that the "decision" was, as to the question at issue, and that the "hint" was contained in that "decision" so as to enable Captain Bamford himself to withdraw his interference in a matter "out of his hands."

I may also state that it is *not* impossible to infer a man's "intention" from his acts. Such a general statement, however, was not made, as the sentence misquoted reads,—"*Lockyer's intention in calling on Captain Bamford was not to apply for permission for the first time.*"

This has been confirmed by Byrnes's evidence previously referred to. Facts 14 and 15 are facts still. As to "fact 16," Sergeant Williams swears anything but what Captain Bamford attributes to him. As to "fact 18," Captain Bamford is here guilty of confounding the *general* question of "violation of orders," or *insubordination with* "violation" of, or rather *non-compliance with*, a particular Battery Order, to which only the Court alluded.

Captain Bamford is pleased to write about "fact 13," that it "makes a great ado about nothing" (V.P.16.) I am sorry that I cannot agree with him. The first Court spent a great deal of time over the point embodied in "fact 13." Captain Bamford, after a steady persistence in maintaining that he did not get the memorandum from the Commandant until *after* the encampment, admitted subsequently the fact of having got it on the 10th (or *before* the encampment), only after Williams's positive and clear evidence on the subject.

The figures had been manipulated between "10th" and "16th." The question seemed to the Court most *important*, for if Captain Bamford had had it on the 10th, he issued his order to arrest Lockyer without even an inquiry into its meaning, but if on the 16th only, the inference would be that the arrest was innocently ordered in *supposed* ignorance of any opinion expressed by the Commandant.

I have, &c.,

M. W. S. CLARKE,

Major, V.A.,

President of Lockyer's Court.

1875.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

VOLUNTEER FORCE.

(APPOINTMENTS TO THE RANK OF LIEUTENANT-COLONEL.)

Ordered by the Legislative Assembly to be printed, 22 December, 1875.

RETURN to an *Address* of the Honorable the Legislative Assembly of New South Wales, dated 21 December, 1875, praying that His Excellency the Governor will be pleased to cause to be laid on the Table of this House,—

“Copies of all Correspondence, Minutes, and other Documents having
reference to the recent appointments to the rank of Lieutenant-Colonel
of Majors Goodlet, Raymond, and Wilson, of the Volunteer Force.”

(*Mr. Cameron.*)

SCHEDULE.

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APPOINTMENTS TO THE RANK OF LIEUTENANT-COLONEL.

No. 1.

LIEUT.-COLONEL RICHARDSON TO HIS EXCELLENCY THE GOVERNOR.

71-773

Brigade Office,
Sydney, 13 September, 1871.

MY LORD,

At the request of Major Raymond, commanding Sydney Battalion Volunteer Rifles, I have the honor to forward his application for promotion to the rank of Lieutenant-Colonel, on the ground that the establishment of the Battalion provides for an officer of that rank.

In submitting this for your Lordship's consideration, I beg to offer my opinion that it is desirable an officer of the Permanent Military Force should at all events be second in command to myself.

I have, &c.,
JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

To the Colonial Secretary.—I think that this had better remain in abeyance until the whole Cabinet has re-assembled.—B., 13/9/71.

[Enclosure in No. 1.]

Major Raymond to Lt.-Colonel Richardson.

Orderly Room,
1st Sydney Batt. Vol. Rifles,
8 December, 1870.

Sir,

I beg most respectfully to draw your attention to the establishment fixed for a Battalion of 6 Companies by the Volunteer Regulations, which provides that such a Battalion should be commanded by a Lieutenant-Colonel.

As the Battalion under my command has for some time been at the maximum strength allowed by the Regulations, I venture to hope you will be good enough to recommend my promotion to above-mentioned rank.

I have, &c.,
R. PEELE RAYMOND, Major,
Commanding 1st S.B.V.R.

No. 2.

LIEUT.-COLONEL RICHARDSON TO HIS EXCELLENCY THE GOVERNOR.

71/912.

Brigade Office,
Sydney, 27 October, 1871.

MY LORD,

I have the honor to forward applications from the officers as per margin, for promotion to the rank of Lieutenant-Colonel, as urged, in conformity with the Volunteer Regulations, which however do not, I think, substantiate a claim for any rank beyond what may be considered expedient; and further, I am of opinion that the rank of the Commandant should be a grade higher than that of any officer either of the Regular or Volunteer Military Forces.

In offering these remarks for your Excellency's consideration, I wish it to be distinctly understood that personally I am quite content with the rank conferred upon me.

I have, &c.,
JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

For the consideration of Ministers, who will perhaps confer with me before coming to a decision.—B., 31/10/71. Consultation.—JOHN R.

The Cabinet advise His Excellency not to comply with this request.—J.M., A.G., 8 Dec., 1871.

Reply, that I have received his letter of 27th October, forwarding applications from Major Shepherd, Goodlet to be promoted to the rank of Lieutenant-Colonel. Add, that I have consulted Ministers with regard to these applications, and they have advised me not to comply with the request contained in them—B., 11/12/71. Letter accordingly—12/12/71.—A.H.

Put by—28 December, 1871.

[Enclosure

[Enclosure 1 in No. 2.]

Major Shepherd to Lt.-Colonel Richardson.

85.

Volunteer Artillery Office,
Sydney, 17 October, 1871.

Sir,

I have the honor to request that you will be good enough to recommend my promotion to the rank of Lieutenant-Colonel, in conformity with the Volunteer Regulations.

I have, &c.,
P. L. C. SHEPHERD, Major,
Com. Vol. Artillery.

[Enclosure 2 in No. 2.]

Major Goodlet to Lieutenant-Colonel Richardson.

Sydney, 20 October, 1871.

Sir,

Having had the honor, now for several years, of commanding the Suburban Battalion of Volunteer Rifles, I have to request you to recommend this my application for promotion to Lieutenant-Colonel, in accordance with Volunteer Regulations, and remain—

Your obedient servant,
JOHN H. GOODLET, Major,
Com. Suburban Battalion

No. 3.

LIEUT.-COLONEL RICHARDSON TO HIS EXCELLENCY THE GOVERNOR.

71-1049

Brigade Office,
Sydney, 18 December, 1871.

MY LORD,

I have the honor to request your Excellency will be pleased to favour me with a reply to my letter No. 71-773 of the 13th September last, on the subject of Major Raymond's application for promotion to Lieutenant-Colonel.

I have, &c.,
JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

To the Col. Sec. The matter has not yet been written on by the Cabinet, but I presume the same advice will be given as in Majors Shepherd and Goodlet's cases.—B., 20/12/71.

Cabinet not disposed to make the appointment.—JOHN R., 17 April, 1872.

Colonel Richardson informed of the decision of the Cabinet.—A.H., 18/4/72.

Put by.—19 April, 1872.

No. 4.

LIEUT.-COLONEL RICHARDSON TO HIS EXCELLENCY THE GOVERNOR.

(72/639.)

Brigade Office, Sydney,
10 October, 1872.

YOUR EXCELLENCY,

I have the honor, by request of Majors Raymond, Shepherd, and Goodlet, as contained in Major Raymond's letter of the 24th September last, herewith, to forward their applications for promotion to the rank of Lieutenant-Colonel.

Your Excellency not having arrived in the Colony till after the applications in question had been disposed of, I deem it my duty to enclose copies of the correspondence which has, both previously and subsequently, taken place on the subject.

I have, &c.,
JOHN S. RICHARDSON, Lieut.-Col.,
Commandant.

Col. Secretary,—Does the decision in this matter rest with me or with Ministers?—H.R., 14/10/72.
The practice has been for Ministers to advise. See enclosed papers.—H.H., 16 Oct., 1872.

[Enclosure

[Enclosures.]
From Commandant, 13-9-71.
(No copy kept of Enclosure.)
From Governor, 14-9-71.
From Commandant, 27-10-71.
(No copies kept of Enclosures.)
From Governor, 12-12-71.
From Commandant, 18-12-71.
From Governor, 18-4-72.
From Major Raymond, 5-5-72.
From Brigade Major, 10-5-72.
From Major Raymond, 10-9-72.
From Commandant, 10-9-72.
From Major Raymond, 11-9-72.
From Commandant, 11-9-72.
From Major Raymond (2), 13-9-72.
From Brigade Major, 18-9-72.
From Major Raymond, 19-9-72.
From Brigade Major, 23-9-72.
From Major Raymond, 24-9-72.
From Brigade Major, 26-9-72.

[Enclosure 1 in No. 4.]

Lt.-Colonel Richardson to His Excellency the Governor.

71-773.

Brigade Office,

Sydney, 13 September, 1871.

My Lord,

At the request of Major Raymond, Commanding Sydney Battalion Volunteer Rifles; I have the honor to forward his application for promotion to the rank of Lieutenant-Colonel, on the ground that the establishment of the Battalion provides for an officer of that rank. 8 Dec., 1870.

In submitting this for your Lordship's consideration, I beg to offer my opinion that it is desirable an officer of the Permanent Military Force should, at all events, be second in command to myself.

I have, &c.,

J. S. RICHARDSON, Lt.-Col.,
Commandant.

True copy,—THOS. BAYNES, Captain, Acting Brigade Major.

[Enclosure 2 in No. 4.]

His Excellency the Governor to Lt.-Colonel Richardson.

Government House,

14 September, 1871.

My dear Colonel Richardson,—

The question of Major Raymond's promotion to the rank of Lieutenant-Colonel must remain in abeyance until the absent Ministers return to the Colony.

Very truly yours,
BELMORE.

True copy,—THOS. BAYNES, Captain, Acting Brigade Major.

For Major Raymond's information.—J.S.R., Comdt., B.C. To be returned.

Seen.—R.P.R., 19/9/71.

[Enclosure 3 in No. 4.]

Lt.-Colonel Richardson to His Excellency the Governor.

71/912.

Brigade Office,

Sydney, 27 October, 1871.

My Lord,

I have the honor to forward applications from the officers, as per margin, for promotion to the rank of Lieutenant-Colonel, as urged, in conformity with the Volunteer Regulations, which however do not, I think, substantiate a claim for any rank beyond what may be considered expedient; and, further, I am of opinion that the rank of the Commandant should be a grade higher than that of any officer either of the Regular or Volunteer Military Forces. Major P. L. C. Shepherd, Comg. Vol. Art. Major J. H. Goodlet, Comg. Subn. Batt. V. Rifles.

In offering these remarks for your Excellency's consideration, I wish it distinctly to be understood that personally I am quite content with the rank conferred upon me.

I have, &c.,

J. S. RICHARDSON, Lieut.-Col.,
Commandant.

True copy,—THOS. BAYNES, Capt., Acting Bde.-Major.

[Enclosure 4 in No. 4.]

His Excellency the Governor to Lieut.-Colonel Richardson.

Government House,

Sydney, 12 December, 1871.

Sir,

I have the honor to acknowledge your letter of the 27th October, forwarding applications from Majors Shepherd and Goodlet to be promoted to the rank of Lieut.-Colonel. I have consulted Ministers with regard to these applications, and they have advised me not to comply with the request contained in them.

I have, &c.,

BELMORE,
Governor and Commander-in-Chief.

True copy,—THOS. BAYNES, Capt., Actg. Bde.-Major.

[Enclosure 5 in No. 4.]

Lt.-Colonel Richardson to His Excellency the Governor.

71/1,049.

Brigade Office,

Sydney, 18 December, 1871.

My Lord,

I have the honor to request your Excellency will be pleased to favour me with a reply to my letter No. 71-773, of the 13th September last, on the subject of Major Raymond's application for promotion to Lieutenant-Colonel.

I have, &c.,

J. S. RICHARDSON, Lt.-Col.,
Commandant.

True copy,—THOS. BAYNES, Capt., Acting Brigade-Major.

[Enclosure

[Enclosure 6 in No. 4.]

Lt.-Colonel Richardson to Majors Shepherd and Goodlet.

Brigade Office,
Sydney, 18 December, 1871.

Sir,

17-1,054.
17-1,055.

With reference to your application for promotion to the rank of Lieutenant-Colonel, I have the honor, by direction of His Excellency the Governor, in reply to state that, with the advice of Ministers, he is unable to comply with your request.

I have, &c.,

J. S. RICHARDSON, Lt.-Col.,
Commandant.

True copy,—THOS. BAYNES, Capt., Acting Brigade-Major.

[Enclosure 7 in No. 4.]

The Administrator of the Government to Lieut.-Colonel Richardson.

Copy to Major Raymond. B.C.,—25/4/72.

Government House,
Sydney, 18 April, 1872.

Sir,

In reply to your letters of the 13th September and the 18th December, with reference to Major Raymond's application for promotion to Lieutenant-Colonel, which were referred by Lord Belmore to the Ministers, I have the honor to inform you that they have advised me* not to comply with Major Raymond's request.

I have, &c.,

ALFRED STEPHEN,
Administering the Government.

True copy,—THOS. BAYNES, Capt., Acting Brigade-Major.

* By minute dated 17th instant, received this day.

[Enclosure 8 in No. 4.]

Major Raymond to Lieut.-Colonel Richardson.

Volunteer Brigade Office,
Sydney, 6 May, 1872.

Sir,

I am induced by seeing in Saturday's *Herald* an extract from last *Government Gazette* notifying the promotion of Captains Fitzsimons and Airey, of the Permanent Force, to the rank of Major, to bring my claim again under the notice of the Government.

The Volunteer Act gives as the distribution of the Staff of a Regiment of 6 Companies, 1 Lieutenant-Colonel, 1 Major, 6 Captains, &c. The Battalion which I have had the honor to command for some years numbers seven Companies, besides two others, the Engineers and Grammar School Cadets, attached for Battalion purposes.

The officers who have recently been promoted have under their command—Captain Fitzsimons, two Companies, consisting of not more than 200 men in all; Capt. Airey, 1 Battery, of not more than 100 men.

Neither of these officers have held commissions in the Colonial Service beyond a few months, while I have been a commissioned officer for nearly eighteen years.

By this short statement I think I have shown that I am justly entitled to the rank attached to my office, as laid down by the Act, unless considered incompetent, in which case I presume I should have been compelled to retire.

In transmitting my former application you objected to recommend it, because you considered an officer of the Permanent Force should come next yourself in rank. May I ask the favour of your stating when forwarding this letter, whether this was your only objection, and whether with exception of this consideration you would be prepared to recommend me as a competent officer and deserving of the promotion claimed or not. I ask you to grant me this favour, as I feel assured had you recommended my promotion it would have been granted, and after my long service I feel also entitled to be made aware of the exact grounds upon which an application appearing to me, so clearly is it laid down in the Act, as almost a mere matter of routine, has been so peremptorily refused.

I have, &c.,

R. PEEL RAYMOND, Major,
Commanding 1st Sydney Batt. Vol. Rifles.

True copy,—THOS. BAYNES, Capt., Acting Brigade-Major.

[Enclosure 9 in No. 4.]

72/287.

Major Fitzsimons to Major Raymond.

Brigade Office,
Sydney, 10 May, 1872.

Sir,

I have the honor by direction to acknowledge the receipt of your letter of the 6th instant, and to inform you the Commandant is not prepared to discuss the matter contained in the first portion of your letter. With regard to the latter, he is under the impression you were made aware of the contents of his covering letter to your application for promotion; he is also decidedly of opinion that no further application of the same nature could, with propriety, be advanced by yourself or recommended by him, having in view the very recent decision of His Excellency. With reference to your request to be informed of the exact grounds upon which your application was refused, I have to observe the usage of the Service does not permit compliance with the same, unless under direction of higher authority.

I have, &c.,

A. F. FITZSIMONS, Major,
Major of Brigade.

True copy,—THOS. BAYNES, Captain, Acting Brigade-Major.

[Enclosure

7

[Enclosure 10 in No. 4.]

Major Raymond to Lieut.-Colonel Richardson.

10 September, 1872.

Dear Col. Richardson,

Have you any objection to Majors Shepherd, Goodlet, and myself waiting on Mr. Parkes with reference to our claim for promotion?

Will you kindly let me have an answer to-day if possible.

Yours, &c.,

R. PEEL RAYMOND, Major.

True copy,—THOS. BAYNES, Capt., Actg. Bde.-Major.

[Enclosure 11 in No. 4.]

Lieut.-Colonel Richardson to Major Raymond.

Brigade Office,

10 September, 1872.

Dear Major Raymond,

All communications with reference to promotion should be made to the Governor, in accordance with instructions laid down for the guidance of the department.

Yours, &c.,

J.S.R., Comdt.

True copy,—THOS. BAYNES, Captn., Actg. Bde.-Major.

[Enclosure 12 in No. 4.]

Major Raymond to Lieut.-Colonel Richardson.

11 September, 1872.

Dear Col. Richardson,

I am aware of the routine mentioned in your note—still, as the Governor refers to and acts under advice of his Ministers in all these questions, we are desirous, before renewing our applications officially, to wait upon the Colonial Secretary.

Should you not feel justified in giving us the permission asked for, perhaps you will kindly, by note to Mr. Parkes, mention the desire of Majors Shepherd, Goodlet, and myself, and obtain his consent.

Yours, &c.,

R. PEEL RAYMOND, Major.

True copy,—THOS. BAYNES, Captn., Actg. Bde. Major.

[Enclosure 13 in No. 4.]

Lt.-Colonel Richardson to Major Raymond.

Brigade Office,

11 September, 1872.

Dear Major Raymond,

I should not feel justified in being a party to any departure from the rules of the Service, or instructions I am to be guided by.

J. S. R., Commandant.

True copy,—THOS. BAYNES, Captain, Acting Brigade Major.

[Enclosure 14 in No. 4.]

Major Raymond to Lt.-Colonel Richardson.

Volunteer Brigade Office,

Sydney, 13 September, 1872.

Sir,

I have the honor to enclose a letter addressed to the Honorable the Colonial Secretary, requesting an interview on matters of importance to the Volunteer Force, which Majors Shepherd, Goodlet, and myself beg that you will be good enough to forward to Mr. Parkes.

I have, &c.,

R. PEEL RAYMOND, Major,
Senior Vol. Officer.

True copy,—THOS. BAYNES, Captain, Acting Brigade Major.

[Enclosure 15 in No. 4.]

Major Raymond to The Colonial Secretary.

Volunteer Brigade Office,

Sydney, 13 September, 1872.

Sir,

On behalf of Majors Shepherd, Goodlet, and myself, I have the honor respectfully to request that we may be permitted to wait upon you, as early as convenient, in reference to matters which we deem of great importance to the Volunteer Force.

I have, &c.,

R. PEEL RAYMOND, Major,
Senior Volunteer Officer.

True copy,—THOS. BAYNES, Captain, Acting Brigade Major.

[Enclosure

[Enclosure 16 in No. 4.]

Major Fitzsimons to Major Raymond.

72/568.

Brigade Office,
Sydney, 18 September, 1872.

Sir,

I have the honor by direction to acknowledge the receipt of an official request on the part of Majors Shepherd, Goodlet, and yourself, to forward your enclosed letter of the 13th instant to the Honorable Colonial Secretary, seeking an interview with him on matters deemed of great importance to the Volunteer Force.

Prior, however, to submitting such letter, I am desired to point out that not only as a mere matter of courtesy but of right, the Commandant as executive head of the Volunteer Force should be informed of the precise nature of the matters connected with the Force under his command you desire to bring under special notice.

I have, &c.,

A. F. FITZSIMONS, Major,
Major of Brigade.

True copy,—THOS. BAYNES, Captain, Acting Brigade Major.

[Enclosure 17 in No. 4.]

Major Raymond to Lt.-Colonel Richardson.

Volunteer Brigade Office,
Sydney, 19 September, 1872.

Sir,

In reply to the Brigade Major's letter, by direction, of yesterday, I have the honor to state that Majors Shepherd, Goodlet, and myself, desire to wait upon the Honorable the Colonial Secretary to urge upon him *especially* the necessity of having proper drill sheds for the use of the Volunteers, and other matters connected with same subject. We should also take the opportunity of urging upon Mr. Parkes, as the Ministerial head of the Department, our claim to the rank of Lieut.-Colonel to which we are entitled under the Volunteer Act.

With reference to the second paragraph of the Brigade Major's letter, we must emphatically disclaim any intention to infringe the *rights* pertaining to your office, still less of treating you with discourtesy.

We trust you will forward on our letter without delay, as we believe Mr. Parkes contemplates a visit to the country shortly.

I have, &c.,

R. PEEL RAYMOND,
Major.

True copy,—THOS. BAYNES, Captain, Acting Brigade Major.

[Enclosure 18 in No. 4.]

Major Fitzsimons to Major Raymond.

72/578.

Brigade Office,
Sydney, 23 September, 1872.

Sir,

Having in consideration the correspondence which has taken place, with reference to a request on the part of Majors Shepherd, Goodlet, and yourself, for an interview with the Honorable the Colonial Secretary, together with the expressed determination to bring the question of promotion to his direct notice instead of through the proper and authorized channel, I am instructed to inform you that the Commandant cannot sanction your proposed action, and accordingly returns your enclosure of the 13th instant, addressed to the Honorable Colonial Secretary.

Lieutenant-Colonel Richardson, however, desires me to add, that he will be happy to co-operate with Majors Shepherd, Goodlet, and yourself, in again urging upon Mr. Parkes the necessity of increased drill accommodation, as also such other matters as may be properly brought under his direct notice, and having for their object the advancement of the interests of the Volunteer Force.

I have, &c.,

A. F. FITZSIMONS, Major,
Major of Brigade.

True copy,—THOS. BAYNES, Capt., Acting Brigade Major.

[Enclosure 19 in No. 4.]

Major Raymond to Lieut.-Colonel Richardson.

Volunteer Brigade Office,
Sydney, 24 September, 1872.

Sir,

I have the honor to acknowledge receipt of letter from the Brigade-Major, by direction, returning letter of 13th instant to the Honorable the Colonial Secretary, from Majors Shepherd, Goodlet, and myself, desiring an interview, and declining, for the reason stated, to forward said letter to Mr. Parkes.

In reply I beg respectfully to remind you that, by letter of 10th May last, you had refused to send on my application of the 6th of same month to His Excellency the Governor for his consideration; and as my previous application for promotion had been refused, under the *advice of Ministers*, we considered we were justified in seeking to urge our claim upon the Ministerial Head of the Department as one of His Excellency's Advisers.

We

9

We desire respectfully now to ask whether you will be pleased to forward my application for promotion, dated 6th May last, to His Excellency the Governor, and similar applications from Majors Shepherd and Goodlet. And that, if the subject of promotion is withdrawn, you will be good enough to send on the letter of 13th instant to the Colonial Secretary, which I herewith return, in the hope that you will consent to the arrangement.

I have, &c.,
R. PEEL RAYMOND, Major,
And Senior Volunteer Officer.

True copy,—THOS. BAYNES, Captain, Acting Brigade-Major.

[Enclosure 20 in No. 4.]

Major Fitzsimons to Major Raymond.

72/584.

Brigade Office,
26 September, 1872.

Sir,

I have the honor, by direction, and in reply to your letter of the 24th instant, to inform you that the Commandant will re-submit the question of the promotion of Majors Shepherd, Goodlet, and yourself for the consideration of His Excellency the Governor.

With reference to the remaining portion of your letter, I am again to point out that Lieutenant-Colonel Richardson is desirous of co-operating with you by bringing to the notice of the Honorable Colonial Secretary such matters as may be deemed conducive to the benefit of the Volunteer Force, for which purpose he invites the attendance of Majors Shepherd, Goodlet, and yourself at this office, to review with him the various points to be laid before Mr. Parkes, after which the Commandant will make application for an interview.

I have, &c.,
A. F. FITZSIMONS, Major,
Major of Brigade.

True copy,—THOS. BAYNES, Captain, Acting Major of Brigade.

No. 5.

LIEUT.-COLONEL RICHARDSON to HIS EXCELLENCY THE GOVERNOR.

(74/383.)

Brigade Office,
Sydney, 3 July, 1874.

YOUR EXCELLENCY,

Adverting to my letter of the 25th ultimo (No. 74/369) covering application of Major Raymond for the appointment of another Field Officer to the Battalion under his command, as also in reference to his former personal application for promotion to the rank of Lieut.-Colonel, I have the honor (provided it is determined that officers under my command should receive the rank of Lieut.-Colonel), respectfully to apply for promotion to the rank of Colonel-Commandant. This has not been recorded.

I may observe that in the Imperial Army five years service as a Lieut.-Colonel, in active command, carries with it the promotion above alluded to.

In conclusion, I would also recommend the promotion of Captain Christie (Major of Brigade) to the rank of Major, which is in my opinion amply warranted by his former rank and services in the Imperial Army, and his responsible position in the Military Forces of the Colony.

I have, &c.,
JOHN S. RICHARDSON, Lieut.-Col.,
Commandant.

True copy,—W. B. CHRISTIE, Major of Brigade.

Subject—Major Raymond's application to be appointed Lt.-Col., and in the event of such appointment, Commandant applies for promotion to Colonel; and Brigade Major, to Major. Letter addressed to His Ex. the Govr.—3/7/74.

This letter has not been registered in this office.—15/8/74.

3/7/74 (No. 383)—Governor. This does not appear to have been recorded.—13/12/74.

No. 6.

MAJOR RAYMOND to LT.-COLONEL RICHARDSON.

Battalion Office,
Sydney, 17 December, 1874.

Sir,

Referring to former letters on the same subject, I have the honor to draw your attention to the fact that, during the latter part of the past month I completed my twentieth year of service as an officer in the Volunteer Force of this Colony, as can be seen by reference to the *Government Gazette* of 1 December, 1854, and to request that you will be good enough again to submit my claim for promotion under the Establishment provided by the Volunteer Act for regiments of our strength, and also for the appointment of a Junior Major.

I have, &c.,
R. PEEL RAYMOND, Major,
Commanding 1st Regt., Vol. Rifles.

No. 7.

LT.-COLONEL RICHARDSON TO THE COLONIAL SECRETARY.

Brigade Office,
Sydney, 22 December, 1874.

SIR,

I have the honor to draw your attention to the Minute of His Excellency the Governor on my letter, herewith, 74-698, of the 18th instant, on the subject of Major Raymond's application for promotion, and the appointment of a third Field Officer to the Battalion under his command.

I have, &c.,

JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

Former papers herewith, 22/12/74. Submitted, 22/12/74.
Has Colonel Richardson recommended other promotions of same kind?—JOHN R.

[Enclosure in No. 7.]

Lieut.-Colonel Richardson to His Excellency the Governor.

(74/698)

Brigade Office,
Sydney, 18 December, 1874.

Your Excellency,

I have the honor to forward herewith, for your consideration, a further letter from Major Raymond on the subject of his application for promotion to the rank of Lieutenant-Colonel, as also the appointment of a third Field Officer to the 1st Sydney Regiment of Volunteer Rifles.

I may observe that this matter was brought to your notice under cover of my letter No. 74/369, of the 25th June last.

I have, &c.,

JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

The former letter referred to was sent to the Colonial Secretary, and has not yet been returned.—
H.R., (19/12/74.)

Submitted, 12 Oct., /74.

Lieutenant-Colonel Richardson seeks herein promotion to the rank of Colonel-Commandant, provided it be determined to promote officers under him to the rank of Lieutenant-Colonel. No such determination appears to have been arrived at, but Majors Raymond, Shepherd, and Goodlet have twice sought such promotion. On the first occasion the Cabinet advised a non-compliance with their applications. The second applications have not been dealt with. Lieut.-Colonel Richardson advises the promotion of Captain Christie to the rank of Major. It is usual for the Cabinet to advise His Excellency on the subject of promotions.—H.H., 12/10/74.

No. 8.

MINUTE.

As the law warrants the promotion sought by Majors Raymond, Shepherd, and Goodlet to the rank of Lieut.-Colonel, there can be no good reason why such promotion should not be accorded. It has precedent also in the Volunteer Service of Great Britain. Lieut.-Colonel Richardson's promotion to the rank of Colonel Commandant might also be accorded prior to his departure on leave of absence. The appointment of Brigadier-Major Captain Christie to the rank of Major might also be allowed.—30 Jan., /75.

Approved. Minute for the Executive Council.—H.H.

No. 9.

LT.-COLONEL RICHARDSON TO HIS EXCELLENCY THE GOVERNOR.

Brigade Office, Sydney,
13 October, 1875.

YOUR EXCELLENCY,

I have the honor to submit the application of Captain W. B. B. Christie, Major of Brigade, for promotion to the rank of Major.

I would respectfully remind your Excellency that on a former occasion I felt it due to this officer to recommend such promotion, on the grounds of his long military service, experience, and professional attainments, as also the very responsible and important position he occupies in regard to the Military Forces of the Colony.

I may remark that Captain Christie's duties, although styled as if appertaining solely to the office of Major of Brigade, are in reality analogous to those performed in the Adjutant General's and Military Secretary's Departments in the Imperial Service, combined with the work of a Regimental Adjutant as applied to the various Battalions of the Colonial Service.

In conclusion, I have much pleasure in noting the fact that this officer has performed his duties to my entire satisfaction, and I therefore trust that, under the various circumstances set forth, his application with my strong recommendation thereto may meet with favourable consideration.

I have, &c.,

JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

Colonial

Colonial Secretary,—I refused this application as premature some eighteen months ago, but I think it may now with propriety be acceded to—Executive Council accordingly.—H.R., 16/10/75.

The only objection that I can see to this promotion is that we are about to endeavour to deal with the whole military question; I have for that reason refused to promote Major Raymond and Major Goodlet.—JOHN R., 30/10/75. Put by for the present by direction of the Colonial Secretary, 1 Nov., 1875.

Minute for Executive Council herewith.—3 Dec.

[Enclosure in No. 9.]

Captain Christie to Lt.-Col. Richardson.

Brigade Office, Sydney,
7/10/75.

Sir,

Completing as I do this month an uninterrupted connection of twenty-one years with the Military Service in the employ of the Imperial and Colonial Governments, I deem it a fitting time to draw your attention to the rank now held by me in the Colonial Service, viz., that of Captain.

When I state that precisely the same rank is held by persons who have had merely a year or two connection with the Colonial Military Forces as Volunteer officers, that with the exception of yourself not one officer in the Colonial Forces can point to the same lengthened performance of military duties in all parts of the world (including active service) as myself, and that I have for upwards of two years performed the duties of Major of Brigade—duties requiring onerous labour, considerable experience, and other important qualifications—I do not think I can be deemed either unreasonable or presumptuous in asking for a step in rank, provided that you consider the manner in which I have performed the duties of my office merits such advancement.

I have, &c.,

W. B. B. CHRISTIE, Capt.,
Major of Brigade.

No. 10.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office,
Sydney, 3 December, 1875.

Promotions in the Volunteer Force.

I BEG. to recommend that Majors Raymond and Goodlet, of the Volunteer Rifles, and Major Watson Wilson, of the Volunteer Artillery, be promoted to the rank of Lieutenants-Colonel; and that Brigade Major Captain Christie be promoted to the rank of Major.

JOHN ROBERTSON.

Approved.—H.R., 6/12/75.

MINUTE OF EXECUTIVE COUNCIL.

THE Executive Council approve of the recommendation of the Honorable the Colonial Secretary, herein set forth, and advise that the (4) four promotions specified be carried into effect.

ALEX. C. BUDGE,
Clerk of the Council.

Min.—75/60, 6/12/75. Confirmed.—13/12/75:

Commissions herewith for signature in favour of Lieutenant-Colonels Raymond and Goodlet, and Major Christie (2).—13 December.

Lieutenant-Colonel Wilson's commission herewith.—17 December.

Promotions of Messrs. Raymond, Goodlet, and Christie, notified in *Gazette* of 17 December.

Commissions of Lieutenant-Colonels Raymond, Goodlet, and Wilson, and Major Christie (2), sent to His Excellency for delivery.—18 Dec.

Major Wilson's promotion notified in *Gazette* of 21 December, 1875.

MAJOR

MAJOR SHEPHERD'S CASE.

No. 11.

CORPS, VOLUNTEER ARTILLERY.

DAILY Statement of Parades and Drills during the month of July, 1874.

Date.	Morning.				Evening.									
	Where employed.	Hours.		How employed.	Hours.		How employed.	Present.						
		From	To		From	To		Officers.	Non-Commis- sioned Officers.	Privates.	Total.			
1														
2														
3														
4														
5														
6														
7														
8														
9														
10														
11														
12														
13														
14					8	9	T. P. drill, Dawes' Battery			1	23	24		
15	Sydney	9½	12¼	At office	8	9	T. P. drill, Dawes' Battery			1	23	24		
16	"	9½	12¼	do.	...	...	No detail							
17	"	9½	12¼	do.	...	...	No detail							
18	"	9½	12¼	do.	...	...	No detail							
19	Sunday	...	...	Sunday	...	...	Sunday							
20	Sydney	9½	12¼	At office	...	...	G. G. drill, Hyde Park			Wet				
21	"	...	...	Orderly	...	...	No detail							
22	"	9½	12¼	At office	8	9	T. P. drill, Dawes' Battery	1	5	24	30			
23	"	9½	12¼	do.	7½	10	Orderly Court of Inquiry							
24	"	9½	12¼	do.	8	9	G. G. drill, Hyde Park			20	20			
25	"	9½	12¼	do.	...	...	No detail							
26	Sunday	...	...	Sunday	...	...	Sunday							
27	Sydney	9½	12¼	At office	8	9	G. G. drill, Hyde Park	No	atte	nda	nce			
28	"	9½	12¼	do.	8	9	G. G. drill, Hyde Park	2	7	9	9			
29	"	...	...	Orderly	8	9	T. P. drill, Dawes' Battery			2	22	24		
30	"	9½	12¼	At office	...	...	On leave							
31	"	9½	12¼	do.	...	...	G. G. drill, Hyde Park			Wet				

JOHN GRIFFITH, Sergeant,
Instructor Volunteer Artillery.
P. L. C. SHEPHERD, Major,
Commanding Volunteer Artillery.

NOTE.—When the Instructor is attached to any particular Corps, the Officer Commanding that Corps will affix his signature under that of the Instructor.

I am sorry to find a new Drill Instructor appointed without any reference to me, as I am not without hopes that my application for properly qualified Instructors from Woolwich will yet be entertained. I have been anxious not to increase the number from any other source. I, of course, make no comment as to the appointment itself, but trust I may be permitted to point out that this is the first instance in which a Drill Instructor has been appointed to the Force under my command without reference to me, and I cannot but regard the contrary course, adopted in the present instance, as a want of that courtesy and consideration to which I consider my position entitled.

14-8-74.

P. L. C. S., Major, Com. V.A.

No. 12.

No. 167.

MAJOR SHEPHERD TO LT.-COLONEL RICHARDSON.

Volunteer Artillery Office,
Sydney, 12 November, 1874.

SIR,

I have the honor to draw your attention to my memo. 14/8/74, complaining of want of courtesy on your part in having appointed a Drill Instructor to the Volunteer Artillery, without any reference to me, which had previously, in such cases, invariably been made.

I regret to find that you have treated my memo. with that *nonchalance* which I am sorry to say has become habitual on your part, for I observe by the Monthly Staff Diary that another Instructor has been since that memo. similarly appointed to the Force under my command. I cannot but regard this as an act of silent contempt on your part to an officer entrusted with so high a command as that which I have the honor to hold under Government; and, without wishing to appear in any degree insubordinate, I conceive it to be due to me that the appointment of this Instructor (Sergeant Garty) should be cancelled.

I have to request you will be so good as to inform me whether the course I now desire will be taken.

I have, &c.,

P. L. C. SHEPHERD, Major,
Com. Vol. Artillery.

No. 13:

No. 13.

74/625.

CAPT. CHRISTIE to MAJOR SHEPHERD.

Brigade Office,

Sydney, 18 November, 1874.

SIR,

In acknowledging your letter, No. 167, of the 12th instant, I am directed by the Commandant to inform you that the Instructors alluded to were appointed by him to the Volunteer Permanent Staff under the authority of para. 52 of the Volunteer Regulations. I am also to observe that such appointments being vested, solely in himself, the Commandant alone is responsible for the manner in which they are filled up. The question therefore as to the propriety of referring them to yourself is one the Commandant reserves for his own discretion. Under these circumstances he declines cancelling the appointment you allude to.

The Commandant has to take exception to the disrespectful and insubordinate nature of your letter, and regrets to observe a continuance of a line of conduct which has already received unfavourable comment from both His Excellency the Earl of Belmore and His Excellency Sir Hercules Robinson. In a memo. dated 21/7/74, having reference to Lieut. Talbot's promotion, the Commandant had again reason to complain of your conduct, and to note with regret the unsatisfactory performance of your duties as a Commanding Officer as compared with that of other officers holding similar commands.

In conclusion, I am to convey a caution to you as to any further continuance of this line of conduct, together with a severe reprimand.

I have, &c.,

W. B. B. CHRISTIE, Capt.

Major of Brigade.

No. 14.

No. 100.

MAJOR SHEPHERD to LT.-COLONEL RICHARDSON.

Volunteer Artillery Office,

Sydney, 20 November, 1874.

SIR,

I have the honor to acknowledge the receipt of your letter of 18th instant, and to point out that I am at a loss to discover the relevancy of its opening paragraph, as I never questioned your right to make appointments on *your own* staff, but objected to your doing so on *mine* as a vexatious and improper interference with the duties of my position—duties which you further on blame me for not discharging satisfactorily, while you deprive me of the power needful to do so by monopolizing them yourself, and then censuring me for the consequences.

The censure repeated in your present letter was originally conveyed in your memo. 21/7/74, and I begged at the time that you would be good enough to point out in what respects it was in your opinion merited. This was never done and would, I venture to think, have been difficult of accomplishment.

I respectfully decline both the caution and reprimand which you desire to convey to me in your present letter, because my acceptance of either would I think imply culpability on my part which I do not admit, and a right on yours to constitute yourself judge in your own case, the propriety of which I do not admit either. I deny the existence of any rational grounds for the censure you would fain apply to my conduct, and accordingly respectfully request that the whole state of the case as concerning the present and all previous disputed points between yourself and me may be referred for investigation and adjustment by a special Commission. Should you object to take the steps needful for this purpose I shall have no option but to take them myself, as I cannot permit matters to remain as they are.

I have, &c.,

P. L. C. SHEPHERD, Major,

Com. Vol. Artillery.

No. 15.

LT.-COLONEL RICHARDSON to HIS EXCELLENCY THE GOVERNOR.

Brigade Office,

Sydney, 25 November, 1874.

YOUR EXCELLENCY,

I have the honor to forward two letters from Major Shepherd, Commanding Volunteer Artillery Brigade, together with a copy of my reply to his of the 12th instant. I have also to enclose correspondence in Lieutenant Talbot's case.

1. Your Excellency will perceive Major Shepherd questions my right to appoint Instructors to that portion of the Volunteer Permanent Staff which is apportioned, for the purposes of instruction, to the Volunteer Artillery Brigade, a right which is specially vested in me by paragraph 52 of the Volunteer Regulations, and for which appointments I alone am responsible to your Excellency and the Government. So clear are my views in the matter, that I shall simply draw your attention to the manner in which Major Shepherd has chosen to discuss the question involved.

2. I had hoped to have dealt with this case myself, but as Major Shepherd still maintains his insubordinate attitude, and has declined to accept my caution and reprimand, and has also desired a reference from my action, I have no option but to refer the matter to your Excellency.

3. With reference to the first instance of censure (contained in my memoranda of the 11th and 21st of July last), I have to draw your Excellency's attention to the correspondence in Lieutenant Talbot's case, which will show that, not only did Major Shepherd neglect to point out to his subordinate the improper terms of his letters, &c., as towards myself, but in addition supports Lieutenant Talbot's asseverations as to his veracity in contradistinction to those made by myself.

4. Major Shepherd, in memo. 18/7/74, takes exception to my comment as to his conduct being recorded on a document it was "indispensable should be forwarded to his subordinate." This appears to me to be a frivolous complaint, as he might either have read the memo. to Lieutenant Talbot, omitting the last paragraph, or have forwarded a copy thereof, observing a similar mode of procedure.

5. In memo. 27/7/74, Major Shepherd is apparently unable to regard any officer as acting in an official military capacity who, *out of uniform*, addresses under his military title an official communication to his military superior. It is obvious that if such views are to be entertained and acted on, there would be an end to discipline, as an officer, or Volunteer, under the cloak of a civil privilege, might with impunity perpetrate military abuses.

6. Major Shepherd, in same memo., endeavours to prove that he did remonstrate with Lieutenant Talbot, which is true as regards the Major of Brigade, but not myself. He also requested me to particularize the notable difference between the Volunteer Artillery Brigade and the other Volunteer Battalions; but as I considered my memo. sufficiently clear to preclude any real misconception in the matter, I may be pardoned for deeming a reply superfluous, and as tending to open the door to a further and unnecessary addition to a correspondence then too prolonged.

7. Adverting to the accompanying papers, having reference to Lieutenant Talbot's application for promotion, I cannot but note that, in my opinion, Major Shepherd has been to blame in keeping the Captaincy of No. 2 Battery vacant so long, viz.; from the *3rd March, 1871*,* in recommending the reinstatement of Mr. Deane to the command of such Battery, and in his persistent refusal to fill up the vacancy in any other way, thus questioning and obstructing the decision of the Government, as also obstructing my desire to carry out such decision.

* Error.—Should be 10 September 1871.—J. S. R. Lieut. Col. Com. 10/3/75.

8. With reference to paragraph 1 of Major Shepherd's letter of the 20th instant, I have to observe, that officer is not justified in stigmatizing the performance of a duty, specially vested in me by the Legislature; as a "vexatious and improper interference"; neither are Major Shepherd's remarks relevant to the causes of vexation he complains of.

9. In the concluding paragraph of same letter I note that Major Shepherd would debar me the right and duty of reproofing a subordinate in any matter wherein I may be personally concerned, with which view, however, I am unable to concur. He further denies the existence of any rational grounds for my censure,—a question I must leave your Excellency to decide.

10. Major Shepherd appears to me to possess and cling to erroneous ideas as to the responsibilities and duties of his position as a commanding officer, notwithstanding His Excellency the Earl of Belmore had to comment unfavourably on a similar line of conduct to that quoted in my memoranda of 11th and 21st of July; and still later your Excellency had to direct Major Shepherd to withdraw his letter under date of 29th of August, 1873, on account of the improper tone adopted towards myself. I may here mention, as a significant fact, that the dispensing with officers' services for conduct of an insubordinate nature has been confined to the Volunteer Artillery Brigade alone.

11. Other causes of dissatisfaction I have had with reference to Major Shepherd, amongst which may be noted, direct appeal, both to the Legislature and to the Ministerial Head of the Department, in violation of the regulations and customs of the Service.

12. Whilst sensible of the somewhat greater latitude to be allowed in dealing with Volunteers, as compared with a regular Force, I am of opinion that a firm and decided discouragement of litigious and insubordinate correspondence will do much to raise the morale and efficiency of the Force.

13. I have now to draw the attention of your Excellency to the anomalous and somewhat hard position which appertains to me, as executive Head of the Volunteer Force, in being vested with all the responsibility of command attached to a regular Force—responsible alike for the discipline, efficiency, and harmonious working of the whole, but vested with none of the powers requisite to ensure such a result. My powers, I may remind your Excellency, are inferior to those of a Captain of a Battery or Company, and are limited to a simple reprimand, and should such be disproportionate to the degree of the offence, further action can only be taken in the shape of a vexatious appeal to superior authority.

14. I can assure your Excellency no one can regret more than myself the necessity which has at last driven me to note, in so forcible and unfavourable a manner, the conduct of an officer; but I conceive, were I not so to do, I should fail in my duty to the Government, which expects from me the due subordination and discipline of the Force under my command, neither of which can be ensured if I fail to receive from an officer of Major Shepherd's position that support and assistance he is in duty bound to afford; and I therefore trust I may be granted such support as may be applicable to a state of affairs which places me at the mercy of any subordinate who desires to keep up a chronic state of bickering, prejudicial alike to good order, discipline, and efficiency, discreditable to any Force having the pretensions of a military body, unfair to myself, in having no real means of control, and calculated materially to injure my reputation and prospects as a soldier.

15. In conclusion, I deem it my duty, and in justice to the Volunteer Force, to inform your Excellency that my relations with the Officers Commanding other Battalions, and the Force in general, have been perfectly satisfactory, and that I have experienced no difficulty in the administration of affairs, except as noted in this correspondence.

I have, &c.,

JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

P.S.—Memo. 14/8/74, as noted in Major Shepherd's letter of the 14th inst., is also enclosed.—J.S.R., Lt.-Col.

These papers to be forwarded to the Commandant, in order that they may be referred to Major Shepherd for his explanations, and which are to be submitted when obtained.—H.P., 28 Jan., '75. The Commandant, B.C., 30/1/75.—H.H. Referred to Major Shepherd for explanation.—J.S.R., Lt.-Col., Comdt., B.C., 1/2/75.

No. 16.

MAJOR SHEPHERD TO THE COLONIAL SECRETARY.

Volunteer Artillery Office,
Sydney, 1 March, 1875.

SIR,

I have the honor to acknowledge receipt of Commandant's letter to His Excellency, 74/644, dated 25th November, 1874 (now re-transmitted), referred for my explanation by direction of the Honorable the Colonial Secretary, together with documents (as per margin) herewith returned.

1. In deference to the command of the Premier, I beg to explain, with regard to the first paragraph of the Commandant's letter, that it has been the invariable practice to refer to me previous to any Permanent Staff Instructor being appointed to the Volunteer Artillery. The first contrary instance was that of Griffiths, against which I remonstrated with due respect by memo., 14/8/74, which the Commandant disregarded, and my subsequent letters are to be understood in the spirit of that memo. Thus, it will appear that I do not dispute the Commandant's right under paragraph 52 Volunteer Regulations to appoint Instructors on the Permanent Staff, but complain of the discourtesy done me in nominating them on my Regimental Staff without the reference to me for my recommendation, which had hitherto been invariably made.

Copy Lieutenant Talbot's Correspondence. Instructor's Diary. Statement for July, 1874. Major Shepherd's Letters of 12th and 21st Nov., 1874. Copy Commandant's Letter, 18th Nov., 1874.

2. With regard to paragraph 2, it would seem to be the case that, whilst professing to refer the matter in question to His Excellency, the Commandant does, in fact, himself prejudice me to be insubordinate, and suggests his own opinion in this respect for adoption by the Governor; and knowing from past experience that in cases referred to His Excellency the Commandant has habitually exercised an influence, I particularly requested that the differences between that officer and myself might be referred to a Special Commission, expressly in order that the action which the Commandant has taken in this matter might not be taken. And I still desire, notwithstanding this explanation, that our differences should be investigated as requested in my letter 20/11/74; nor do I think I should be required to accept the final decision of any other tribunal, the course I suggest being (as will appear hereafter) one recommended by the Commandant himself.

3. The only construction which I can put upon paragraph 3 is this, viz.: The Commandant deems it my duty, as his subordinate, to "suppress the truth" in support of his authority—the truth being as stated in my memo. 1/6/74, in Lieutenant Talbot's case. I may here state that I have known Captain Talbot for some 30 years intimately, and proved him to be an honourable, straightforward, truthful man. It would, therefore, have outraged common sense had I disbelieved his statement when part of it was proved to be true by the Commandant's admission to myself personally. With regard to the Commandant's complaint that I failed to point out to my subordinate the improper terms of his letter, I can only say the same course was adopted by the Commandant, who forwarded a letter from Captain W. Deane to His Excellency, although such letter was alleged to be insubordinate.

4. Regarding paragraph 4, I can only say it seems to me that suppression and mutilation of correspondence are unfair and objectionable in any case. I think all or none should be shown to any person entitled; *ex parte* selections picked and chosen here and there at will being liable to create suspicion of unfairness, deceive, and mislead as to the general tenor and meaning. Further had I suppressed any portion whatever of the correspondence from Lieut. Talbot I should have been doing the very thing which that officer complains of the Commandant for doing, viz., showing him only a part and not the whole correspondence; moreover, it is usual in cases of communications from superiors containing matter not to be made known to inferiors, that directions to that effect should be issued by such superiors. In the matter in question I received no such instructions, and, therefore, for me to have tampered with my superior's memo. would have been inexcusable even though it contained a censure on myself.

5. I would respectfully point out, with reference to paragraph 5, that the only regulation touching the subject therein treated of, would appear to favour my view, moreover, I could exert no authority whatever in presence of my own superior officer (the Commandant). It was, I humbly submit, for him to act, if he saw fit. For me to have meddled in a matter involving the Commandant's personal action would, I think, have been officious and impertinent.

6. Touching paragraph 6, I have to state that the Major of Brigade being the Commandant's mouth-piece the Commandant alone can be officially recognized in any correspondence of an official character which bears the Brigade Major's signature. I am, therefore, unable to follow the Commandant in the first part of this paragraph (6). In the latter part of it the Commandant makes a charge against the discipline, &c., of the Volunteer Artillery, and would appear to point out myself as the cause of it. Such being the case I asked him for particulars; these he has wholly failed to supply, and notwithstanding he states that he considered any reply superfluous I come to the conclusion that he has made an untenable complaint, and adopts this mode of evading the subject.

7. As to paragraph 7, the Commandant has somewhat confused matters by not very clearly stating what he means, where he says,—“Major Shepherd has been to blame in keeping the Captaincy of No. 2 Battery vacant so long, viz., from the 3rd March, 1871; in recommending the re-instatement of Mr. Deane to the Command of such battery; and in his persistent refusal to fill up the vacancy in any other way;” thus leading it to be supposed that I had recommended Mr. Deane on the 3rd March, 1871, and had persisted in doing so,—the fact being that such recommendation was made on the 23rd April, 1873, at the desire of the Commandant. But it becomes necessary, for the more clear understanding of this matter, that I should give a short sketch of the facts as they occurred, in order that they may be placed in contradistinction to the inference drawn by the Commandant in this paragraph. The usual course in cases of promotion is for the person entitled to make application. The procedure in reference to the present matter was not initiated by any application from Lieutenant Talbot, owing no doubt to the steps which were being taken by the former Captain of his Battery, but about two years afterwards a letter was received from the Brigade Office, drawing my attention to the length of time No. 2 Battery had been without a Captain; and in the Commandant allowing this length of time to elapse before moving in the matter, I presume he was influenced by the same motive which had held Lieutenant Talbot from applying for promotion; and that this influence was at work after the letter from the Brigade Office, as well as before, is apparent from the fact that Lieutenant Talbot was not ordered for examination until December, 1873, although nine months previously, viz., in March of that year, the Commandant threatened to exercise the power vested in him by appointing a Board to examine him. I cannot, therefore, but regard as somewhat inconsistent that the Commandant should have charged me with “persistent refusal to fill up the vacancy,” with “obstructing the decision of the Government,” as also obstructing the Commandant's “desire to carry out such decision,” whilst asserting some two years previously that the power of accomplishment was vested in himself. Immediately the Commandant expressed a desire to have the vacancy filled up I communicated with Lieutenant Talbot, inquiring whether he was prepared to present himself for examination. The correspondence accompanying these papers shows that thereupon Lieutenant Talbot placed himself in communication with the Commandant, stating reasons for delay, with the force of which, I presume, the Commandant was satisfied, otherwise he would have exercised the power he declared to be vested in him, and have insisted on an earlier examination, which, however, did not take place until December, 1873, and the examination paper, dated 12th January, 1874, reached me on the 19th of the same month, on which day I recommended and forwarded it for the information of the Commandant. It is then, I venture to hope, apparent that no delay whatever has taken place on my part, but delays which have been allowed to take place by the Commandant have been credited to me. In concluding my explanation as to this paragraph, I would beg leave to state that the Commandant has caused a still further delay, viz., until 15th December, 1874, by endeavouring to compel me to go out of the usual course in similar cases by requiring me in this particular instance to give an unusual recommendation so that should any difficulty hereafter arise by reason of the promotion being made in this particular instance, the odium might be made to attach solely to myself by reason of such unusual

unusual recommendation. The policy of the Commandant in this instance, apart from being unusual, produced complications with Lieutenant Talbot, which created a suspicion in his mind that I had never recommended him at all, increased by the Commandant's reluctance to show Lieutenant Talbot the papers in his case when requested to do so. I therefore humbly submit that the whole difficulty which the Commandant would attach to me arises out of his own action, or rather want of action in this case. For verification of my explanation and statements I beg to refer to the correspondence in Lieutenant Talbot's case.

8. As to paragraph 8, it may suit the Commandant's views *now* to stand upon what he asserts to be the strict letter of the law. This is consistent with his constant practice in dealing with Volunteer matters. So because in this particular instance he wishes to bring a charge against me he assumes his present position, forgetting that he has created a practice to the contrary by referring to me in previous similar circumstances. I can therefore only regard the Commandant's departure from the usual course, and his persistence in it despite my remonstrance, as intended to throw difficulties in my way as to the administration of my command in the first place, and in the next to censure me for the consequences—without, however, affording me an opportunity of knowing in what particular instances he considers me to be to blame, although I have sought for such information at his hands. His reticence can of course only serve to perpetuate whatsoever it may be that he complains of, and for the continuance of which, therefore, the Commandant must himself be regarded as responsible.

9. With reference to paragraph 9 I have no desire to debar the Commandant or any other person the right and duty of reproving a subordinate in any matter wherein such superior may be personally concerned, provided that no question arises as to whether such reproof is deserved or not; but I submit neither the Commandant nor any other person possesses the right which he has in this case assumed of deciding a matter at issue between himself and a subordinate by finding such subordinate guilty through some mental process of his own and then punishing him. This appears to me to be contrary to the laws of the British Constitution, including even *military law*. If what the Commandant contends for be right what need of Courts-Martial? Let us suppose for instance in the case of a subordinate assaulting his superior. In such a case the superior would certainly be personally concerned, nor could any doubt be entertained as to the subordinate's culpability. Now I ask the Commandant pointedly would the superior in the case I have supposed be justified in finding (of his own independent motion) such subordinate to be guilty, in sentencing him to death, and causing him to be shot. If not, on what does the Commandant base his argument?

10. Touching paragraph 10: It may be all very well for the Commandant to make broad assertions of my possessing and clinging to erroneous ideas as to the responsibilities and duties of my position as Commanding Officer; but I think it would have been more to the purpose had he stated specifically to what erroneous ideas he referred. I am only left to surmise that he refers to the cases mentioned in the letters of their Excellencies the Earl of Belmore and Sir Hercules Robinson, and that in these cases alone the erroneous ideas exist. I beg to offer a word or two of explanation, and remark, therefore, upon these cases. It may fairly be presumed, I think, that unless a person be educated in any particular profession he must be guided in all nice questions appertaining to such profession by reference to those within his reach who may have been so educated. I believe that neither the Earl of Belmore nor Sir Hercules Robinson are practical soldiers; but apart from this, to whom would their Excellencies naturally and constitutionally turn for guidance on military points but to the Commandant of the Forces, for the time being, in the Colony? and the expression, therefore, in any of their Excellencies' communications as to want of military knowledge on my part must have emanated from the Commandant who was at the time of such communication in office. If then I should be compelled to show that the remarks contained in their Excellencies' letters showed greater deficiency of military knowledge than I have ever evinced myself, this explanation must relieve me from any intention of charging their Excellencies with wilful misapprehension of the subject of which their letters treated. If reference be now made to the subject on which the Earl of Belmore's letter of the 19th January, 1872, commented, it will be found that I complained of my action in a certain matter having been submitted for the remarks of my subordinate officers. Now it is quite clear to me that the Commandant would scarcely have taken such a step had he not considered it a proper thing that the action of a superior should be commented upon by his juniors in position. I have failed anywhere to discover, in any military authority published, any sanction for such a course, however, and the result of whatever inquiries I have been able to make on the subject is that it is wrong and opposed to military usage; and I challenge the Commandant to prove to the contrary. If then the Commandant was wrong (as I submit he was) in allowing my subordinates to comment upon my conduct, had I a right to complain, or was it my duty to remain silent, and permit what appeared to me to be a glaring breach of discipline to pass unnoticed—the only person to whom I noticed it being the Commandant himself. In this case it is evident that the Commandant had to choose, in advising His Excellency, between admitting that he was in error, or suggesting an unjust censure on myself, as he did. I believe I have thus satisfactorily disposed of one of the two instances of erroneous ideas to which I am said in this paragraph to cling. The Commandant's action is just this: He advises His Excellency to administer to me a rebuke, which was wholly unjust, and now attempts to put forth such unjust rebuke as conclusive evidence that I was in the wrong; but on reference to the circumstances which more particularly induced this rebuke, I submit it will be evidently a censure on the Commandant's own line of conduct as exhibited in the case of Captain W. Deane. The papers show that this officer was dismissed as alleged to have been insubordinate by reason of writing a certain letter which had passed through me to the Commandant, and through his hands forwarded to His Excellency the Earl of Belmore, without (as the Commandant points to be right and proper in his Memo. of 21st July, 1874) "compelling him to address his superior officer in befitting terms." The Commandant's action therefore belies his precept. The other matter to which this paragraph alludes as clinging to erroneous ideas arises merely out of one of various attempts which I have made to place the working of the Volunteer Artillery on a firm and satisfactory basis. With this object in view, and with the intention of relinquishing my command, if a competent third person should find me to be wrong or to blame in my management of that Force, I did not regard as any breach of discipline the seeking the Premier, the Executive Head of the Government of the Colony, to arbitrate and decide between the Commandant and myself. Surely if my letter on this subject appeared in any way objectionable, the Commandant ought to have carried out the suggestion conveyed in his memo. (21st July, 1874), have returned it to me, and compelled me to address my superior officer

officer in "befitting terms." Does not the Earl of Belmore's censure apply here; and if so, where was the necessity of obtaining a reiteration of it from Sir Hercules Robinson? My suggestion, that my constant differences with the Commandant should be settled by arbitration was made in all good faith, and for the furtherance of the object we should both have in view, viz., the welfare and improvement of the Volunteer Artillery. How easy it would have been for the Commandant to have applied his own rule to my letter and returned it, instead of endeavouring to bring down upon me a duplicate censure, which, as I have shown, recoils upon himself. As regards the conclusion of this paragraph of the Commandant's letter, I may here point out that the instance alluded to, of the Commandant's breaking through his own rule, laid down in his memo. of 21st July, 1874, occasioned one of the dismissals of officers from the Volunteer Artillery to which he has referred. The other instance of dismissal (that of Captain Bamford) was brought about by the Commandant giving secret audience to one of Captain Bamford's subordinates, contrary to all military usage and etiquette, and in direct violation of a principle which, in a letter dated 17/1/72, the Commandant promised me to observe. I venture to hope that I have now satisfactorily answered the only two complaints made against me of clinging to erroneous ideas.

11. The Commandant, in paragraph 11 of his letter, propounds two causes of dissatisfaction—one is as to my right to appeal to the Legislature—the other, to the Ministerial head—both which causes he asserts to be in violation of the regulations and customs of the Service. As to both these causes of dissatisfaction on the part of the Commandant, I unhesitatingly deny that any regulations or customs of the Volunteer Service in any way prevent or prohibit such appeal—apart from which, and in regard to the first cause of the Commandant's dissatisfaction, the Commandant has himself prescribed the very course with which he would appear to be now dissatisfied. He goes so far even as to point it out as being expedient—(see Captain Rossi's case, answer to question 538) "I believe that the appointment of a Special Commission or a Select Committee of the House such as this would be expedient." With regard to the second cause of complaint, all I have to say is, that whenever I have waited upon the Premier officially on military subjects, it has been in company with the Commandant, or by the direction or with the concurrence of the Minister himself.

12. I fully coincide with the remark of the Commandant in his 12th paragraph, that greater latitude is to be allowed in dealing with Volunteers as compared with a strictly Military Force, but regret I am unable to agree to the inuendo conveyed in the concluding portion of this paragraph, because its effect is to belie the Commandant's own remark in concluding that subordinates are to be allowed to seek redress for their grievances, by stigmatising their efforts as litigious and insubordinate. I affirm that if all the correspondence of the nature to which I have alluded, and which the Commandant is pleased to style insubordinate be referred to, it will be found to consist in his subordinates endeavouring to explain and set right circumstances affecting their interests which have arisen prejudicially to them out of his own improper action. As therefore in doing so they must needs have alluded to the Commandant's action in regard to themselves, he has seen fit to brand them as insubordinate.

13. In regard to paragraph 13, it does not appear that I am called upon to offer any explanation, but I may perhaps be permitted to point out what may possibly have led to the difficulties which the Commandant has discovered in his command of the Volunteer Artillery—difficulties which seem never to have existed when that Force was under such experienced officers as Colonel Hamilton and Lieutenant-Colonel Kempt, whose confidence I always enjoyed; in verification as to one of them, at least, I beg to refer to Brigadier-General Hamilton on his leaving the Colony, to one of which I quote in the margin. May not some of these difficulties at all events be attributable to the Commandant himself and his want of experience in the control of a large body of officers and men, for I believe I am correct in stating that up to the Commandant's appointment to the Volunteer Force of this Colony he had but just emerged from the position of a Subaltern Officer, and that therefore the only experience he could have had in the way of command was whilst in command of his company during a very brief period at Wanganui. I would point out, in concluding my remarks upon the paragraph of the Commandant's letter, now under notice, that that Officer would appear by its tenor to regret that he is not placed in a position to deal with the Volunteers with all the rigour of a Military martinet; rather than to evince the sincerity of the admission he makes in his 12th paragraph, that greater latitude is to be allowed in dealing with Volunteers as compared with a Regular Force.

14. With reference to the Commandant's 14th paragraph, it is and always has been an open question between the Commandant and myself whether I am bound to afford him that assistance and support of which he speaks, in cases where he is clearly in fault, but I distinctly deny that I have in any instance failed to carry out any order he may have issued to me, and I challenge him to prove to the contrary. The Commandant further complains in this paragraph (14), in general terms it is true (but I presume having some reference to my own conduct, since the complaint occurs in a letter expressly written on that account), about "keeping up a chronic state of bickering." Now I have certainly at all times, as occasion may have required, communicated with the Commandant on matters of grievance in the Force, under my command; but if the correspondence has been protracted to an unnecessary or vexatious extent, or assumed the aspect of "chronic bickering," I am confident general reference would absolve me, and prove that such result is attributable rather to the Commandant and his mode of dealing with the matters of the Volunteer Artillery; and therefore, that all the evils consequent thereon, and which he points out in this paragraph of his letter, are of his own effecting and not mine. To corroborate the accuracy of my explanation, I refer amongst others more particularly to Lieut. Talbot's papers, they being handiest as accompanying this letter. From these it will appear that I recommended in the usual form Lieut. Talbot's promotion to the rank of Captain in January, 1874. The Commandant however desired more than this, and insisted on an unusual recommendation from me, and protracts the correspondence in a manner which leads to vexatious complications, resulting at length in an open rupture between the Commandant and Lieut. Talbot, in which the former endeavours to implicate myself, and in a refusal on the part of the Commandant to recommend Lieut. Talbot's promotion to the Government. The matter is then referred by Lieut. Talbot to His Excellency the Governor, who grants him his promotion without that further and unusual recommendation from me for which the Commandant had been contending and dragging out the correspondence to a great length (unnecessarily as the event proved) in order to compel me to make. Lieut. Talbot was promoted in December, 1874, so that in this instance the Commandant wasted some twelve months in idle contention and "bickering."

(Extract.)
Brigade Office,
Sydney, 18 Sept., 1863.
Brigade Order.
Colonel Hamilton
warmly thanks Cap-
tain Laver and Cap-
tain Shepherd for
their able assistance
during the period
he commanded the
Volunteers.

15. As to the concluding paragraph of the Commandant's letter, I think it contains the key to the whole difficulty which has arisen between the Commandant and myself. He has been educated as an Infantry Officer, and his predilections necessarily attach him to that arm, added to which he is better acquainted with its duties than with those of Artillery. My military education on the contrary has been purely an artillery one, and I am proud to be able, as a Volunteer, to record the frequent eulogia passed upon my general conduct as an Artillery Officer by such distinguished officers as Colonel Lovell and Major Pitt, my former Commandants. Thus the Commandant's policy supervening upon his infantry predilections has occasioned a large proportion of time to be wasted in instruction in infantry detail which might have been with greater advantage employed in the more essential duty of artillery drills and instruction. The Commandant's statement that his relations with the Officers Commanding other Battalions and the Force in general have been perfectly satisfactory, may possibly apply in so far as he is personally concerned, but I venture to affirm that as a rule he does not possess the confidence of the Volunteers.

In concluding this explanation, I take the liberty of again asking that these matters may be referred to and investigated by a special Commission; if this be granted I am prepared to prove certain acts of the Commandant to have been so seriously culpable that I think it only fair that they should not be specified or brought forward in the shape of charges here, nor until the opportunity of immediately refuting them is afforded him by the appointment of a special Commission or Select Committee of the House, in accordance with the Commandant's views on such subjects as quoted in paragraph 11.

I have, &c.,

P. L. C. SHEPHERD, Major,
Com. Vol. Artillery.

No. 17.

LT.-COLONEL RICHARDSON TO THE COLONIAL SECRETARY.

(75/111.)

Brigade Office,
Sydney, 11 March, 1875.

SIR,

I have the honor to inform you that, in accordance with Minute of the Honorable the Colonial Secretary, dated 28th January, 1875, as recorded in my letter of the 25th November, 1874, No. 74/644, addressed to His Excellency the Governor, that the documents therein referred to were duly forwarded for Major Shepherd's explanation, which I now transmit, with documents as per margin, together with this my reply thereto, for consideration.

I may remark that Major Shepherd having dealt with the subjects contained in the various paragraphs of my letter of the 25th November last *seriatim*, I have also adopted a similar mode of procedure in this reply.

1. Major Shepherd endeavours to show he did not dispute my right to appoint Instructors to the Permanent Staff, yet referring to the appointments of Sergeants Griffiths and Garty, in first paragraph of his letter of 20th November last, he terms my action in so appointing them "a vexatious and improper interference with the duties of his position." Major Shepherd is in error in supposing these Instructors were even nominated by me to his Regimental Staff, such being inconsistent with the Volunteer Regulations, paragraph 71 of which distinctly shows that the Instructors on the Permanent Staff and the Regimental Staff are distinct and separate bodies, and consequently Major Shepherd practically denied me the right of appointment of Instructors, as vested in me by the Legislature.

It is quite true that prior to the appointments to the Permanent Staff, complained of by Major Shepherd, proposed appointments were, as a matter of courtesy (not right) referred to that officer, *when it was intended subsequently to appoint such persons as Instructors to the Volunteer Artillery Brigade*; but the defiant attitude and unauthorized position assumed by Major Shepherd in Sergeant Worthy's case contravened the instructions of the Government, and defied my authority, and thus debarred me according such courtesy, so long as Major Shepherd was permitted to adhere to a position to which he had no warrant. I have here to remark that Sergeant Worthy's case was referred to His Excellency the Governor, under date 26th July 1872 (No. 72/447), but to which I have received no reply.

As a matter of fact, however, any reference to Major Shepherd as to the appointment of these two particular men would have been useless, they having been for some time Non-commissioned Officers in the Permanent Artillery, and therefore much under my own observation; besides which I obtained special information as to their qualifications, &c., from their immediate Commanding Officer, with whom they had for some years been intimately connected.

2. It would again appear that Major Shepherd desires to place himself above the disciplinary law of the Volunteer Force, embodied in the Volunteer Act and passed by the Legislature, which, in clause 4, vests with His Excellency the Governor, as Commander-in-Chief, the administration, as to the organization, drill, and discipline of the Force, to the exercise and acceptance of which, however, Major Shepherd takes exception by reason of the "influence habitually exercised by me" over His Excellency, thereby not only questioning my fairness of dealing, but the actual competence of His Excellency. I need hardly say that if the authority of those who are vested by the Act with power to deal with matters of this nature be thus questioned and ignored by persons holding subordinate commands, and consequently subject to such Act, and this before the proper constituted means for redress of grievances shall have been exhausted, there must be an end to all authority and discipline. No civil department connected with the administration of the Government could exist were appeal to be made on disciplinary matters to persons or parties neither endowed by law or custom with any power of dealing with such cases, and this in defiance of the departmental chief, political or otherwise; and it is to be noted that the objection thus raised to His Excellency dealing with this case is an objection taken to the authority of His Excellency in Executive Council. Were officers commanding bodies of men thus allowed to emancipate themselves from the control of those who have by law been vested with authority over them, and seek irresponsible tribunals of their own, the exercise of command would become impossible, and bodies of armed men, instead of a safeguard, would be liable to become a nuisance and a menace to society, for it is to be recollected that due control over military bodies is necessary by those holding the reins of authority as tending to the safety of the State itself.

3.

Commandant's letter, 25-11-74.
Major Shepherd's letter, 12-11-74.
Brigade Major's letter, 18-11-74.
Major Shepherd's letter, 20-11-74.
Diary of instructor for July, 1874.
Major Shepherd's letter, 1-3-75.
Lieutenant Talbot's case, documents for reference.
Printed Papers—
Captain Bamford and P.A.O. Battery, A.
Captain Bamford's case, B.
Captain Deane's case, C.
Report, Select Committee, Goulburn Co., D.
Major Shepherd's letter to Commandant, 9-9-72.
E

3. I can see nothing in the correspondence to justify Major Shepherd's inference that I wished him to "suppress the truth," but claiming equal veracity with Lieutenant Talbot, the fact of Major Shepherd supporting that officer's asseverations of veracity, as opposed to my statement, was certainly at my expense. Major Shepherd endeavours to justify his neglect of duty, in failing to point out to Lieutenant Talbot the improper nature of his letter, &c., by quoting, as an example, my action in transmitting an insubordinate letter from Captain Deane, addressed to His Excellency the Earl of Belmore. And here I may remark, that even were it so, I submit that the censure bestowed by His Excellency on Major Shepherd for his precisely similar neglect of duty in Captain Bamford's case, should have effectually prevented any repetition of such conduct. It appears to me that my action in Captain Deane's case bears, however, a somewhat different complexion. That officer having rejected my ruling as his superior officer, takes the matter out of my hands by an *appeal* to His Excellency, and consequently the matter thenceforward rests between His Excellency and Captain Deane, and my further action limited to being merely the channel of communication.

4. As regards this paragraph there could be no mutilation or misconception, as far as Lieutenant Talbot was concerned, by Major Shepherd refraining to read the last paragraph of memo. 11/7/74, inasmuch as it referred exclusively to Major Shepherd's conduct, and not to that of Lieutenant Talbot. It is not customary in the Military Service for portions of minutes addressed to Commanding Officers, and not referring directly to the conduct of a third person, to be read to such third person; but that portion of the minute so addressed, and which does so refer, is read, or sometimes an extract thereof, made in writing, and transmitted. The custom of the service, and the exercise of a due discretion, should have prevented Major Shepherd communicating this paragraph to his subordinate. If his position was lowered by his subordinate being made acquainted with that portion of the memo. which related exclusively to Major Shepherd, it was through his own action.

5. It may be inferred from Major Shepherd's reply that he still holds views antagonistic to the responsibility of officers, who, although out of uniform, write and sign documents in their official military capacities, and addressed to their military superiors. It is also, with reference to the last portion of this paragraph, to be noted that it is the duty of a commanding officer at all times to insist on his subordinates showing a due respect towards those vested with higher command than themselves, which point of duty Major Shepherd did not perform.

6. Major Shepherd evades the real point at issue, by the introduction of the Major of Brigade into the case, as the mouth-piece of the Commandant. On reference to memo. 28/5/74, *initialled by myself*, it will be seen that I made certain statements, the accuracy of which were denied by Lieutenant Talbot in memo. 30/5/74, who was supported therein by Major Shepherd, in memo. 12/6/74; and I again repeat, there is no record of Major Shepherd having remonstrated with his subordinate as to his very objectionable memo. as regards myself, but on the contrary he supported him, and so *continues to do* in paragraph 3 of his letter of the 1st instant, now under consideration.

Arguing, however, the matter in the light desired by Major Shepherd, I fail to see with reference to the flat denial given to my statement, how a remonstrance given as regards one memo. impugning, or supposed to impugn, the veracity of *one* person, can by any straining of terms, or misapplication of military technicality, be construed into a remonstrance relative to language made use of regarding the statement of another person some days before. As regards the latter portion, I have nowhere made any charge against the discipline of the Volunteer Artillery Brigade, but simply pointed to the conduct of the Officer Commanding that branch of the Force; and I think on reference to my memos. 11/7/74 and 21/7/74 (correspondence Lieutenant Talbot's case), there is no possibility of any real misconception on this point. As to my complaint of Major Shepherd's conduct being untenable, I must refer to Captain Bamford's case, marked A, also to the significant introduction into the correspondence by Major Shepherd, of the letters of two gentlemen possessed of much political weight, and the consequent censure conveyed in His Excellency the Earl of Belmore's letter of 19 January, 1872, contained in page 11 of that correspondence. Again, in Captain Bamford's case, marked B, page 28, wherein His Excellency Sir Hercules Robinson, in letter of 21st November, 1873, considers Major Shepherd's letter of the 29th August, 1873, "so insubordinate and improper" that eventually Major Shepherd has to withdraw it. Again, I received a letter from Major Shepherd, dated 9th September, 1872, enclosed, marked E, wherein he informed me he had placed in the hands of a Member of the Legislative Assembly a certain official matter then pending between us, which I had in a previous letter intimated as my intention to submit for the decision of His Excellency the Governor; and lastly, his action in Lieutenant Talbot's case.

7. There appears nothing in the language of this paragraph of my letter, as far as I can see, "to lead it to be supposed" that I wished it to be inferred that Mr. Deane had been recommended by Major Shepherd on the 3rd March, 1871 (error in my letter—should have been 10th September, 1871), for re-appointment to the command from which he had been dismissed. The fact that such recommendation was made on the 23rd April, 1873, appears on the papers connected with Lieutenant Talbot's case transmitted with my letter of 25th November, 1874, No. 74/644, and would have been apparent to His Excellency on perusal. With reference to the remainder of this paragraph, I consider it the duty of an officer commanding a brigade or battalion to see that the corps of which it is composed are officered in accordance with the Regulations, and only mine to interfere in the matter if that officer (as Major Shepherd did) fails to do his duty in this respect, and which I had eventually to do in the case of No. 2 Battery, reluctantly, and then only after great delay had taken place. That this, in my opinion, was the proper procedure may be gathered from my action in this very case.

The only recommendation made by Major Shepherd relative to the filling up of the command of this Battery was in April, 1873, when he recommended Mr. Deane, who had previously been dismissed from such command by His Excellency the Governor and Executive Council—a recommendation, by the way, in which it was impossible for me to concur without forfeiting my sense of due subordination and respect for the action of my superiors.

It is true that Major Shepherd did recommend Lieutenant Talbot for promotion to captain, but in a manner tantamount to no recommendation at all, inasmuch as it would have been contrary to the Volunteer Regulations, as to establishment, to have carried out a recommendation having for its object Lieutenant Talbot's appointment as a Supernumerary Captain, and not to the command of No. 2 Battery. The fact of delay having taken place between January and December, 1874, the dates of Lieutenant Talbot's qualifying, by passing his examination, and his being gazetted, is mainly to be attributed to Major Shepherd's positive refusal to recommend that officer for the command of No. 2 Battery; but that of a person dismissed

dismissed by the Governor and Executive Council from the very same command; and there also remains the fact that Major Shepherd, for eighteen months, for obvious reasons, took no steps to fill the vacancy caused by Mr. Deane's dismissal, and that he would then make no recommendation for that command, other than that in favour of the dismissed person. Whether this is, or is not, to give to the Governor in Executive, and myself, that support in carrying out the decisions of the former, must be left, sir, for His Excellency and yourself to decide.

8. I have already, in paragraph 1, given the reasons which induced me to depart from what had hitherto been the course in appointing Instructors to the Permanent Staff, whom it was intended subsequently to apportion as Instructors to the Volunteer Artillery Brigade. It is most apparent throughout this correspondence, that Major Shepherd seeks to evade the real point at issue between us, viz.,—the conduct for which he was censured by their Excellencies, and subsequently by myself. Of the precise nature of such conduct, I submit there can be no real misconception, as Major Shepherd would have it believed.

9. The right and duty of reprimanding juniors rests with all superior officers in the Military Service, as it also rests by custom with all heads of Civil departments under the Government. There is an appeal, if aggrieved, to the Commander-in-Chief (in this case the Governor in Executive Council); but Major Shepherd asks for a Court of Appeal outside the Volunteer Act, and its provisions for the maintenance of discipline. Nothing beyond this power of reprimand, as stated above, is claimed or exercised by me, though it is needless to remark, that a subordinate who refuses to accept such reprimand (as in the present instance) lays himself under peculiar obligations to prove the injustice of it. The case submitted by Major Shepherd as analogous is simply an absurdity. To reprimand is a proper and legal exercise of authority on the part of a superior officer, and of necessity exercised by heads of both Military and Civil Departments. To assume the powers and functions of a Court-martial, and so act with gross illegality, is a very different thing.

10. It appears to me unnecessary to offer any comment on Major Shepherd's remarks concerning their Excellencies the Earl of Belmore and Sir Hercules Robinson, as contained in first paragraph. I have however again to observe that Major Shepherd ignores, with one exception, the actions for which he was censured in Lord Belmore's letter of the 19th January, 1872, page 11 of printed correspondence marked A, which are as follows:—

1st—Forwarding insubordinate letters from Captain Bamford to myself, without remonstrance.

2nd—Formally expressing dissatisfaction with his superior officer.

3rd—Reminder, as to his Excellency having on a former occasion to remark on Major Shepherd's ideas as to military discipline.

4th,—The highly objectionable introduction, by Major Shepherd, of Messrs. Wearne's and Davies' letters into the correspondence.

I beg now to remark on Major Shepherd's explanation of the only point of censure he has admitted, viz., the 2nd; that it is to be borne in mind, this complaint made by Major Shepherd, relates to the submission of a purely argumentative memorandum of his (having no relation whatever, in language or facts, to discipline) to one of the parties affected as regards position by the arguments so used. (See correspondence, page 3, marked A.) An opportunity of reading the arguments used seemed but an act of justice to those whose positions were affected, and nothing prejudicial to discipline could come of it. There was not likely to be, nor was there any question of juniors commenting upon the action of a superior, but there was a question of the justice of submitting for reply, arguments (standing quite apart from any question of discipline) having direct bearing upon the position of the parties to whom the memorandum was to be submitted, and whether, or no, the censure of His Excellency the Governor was deserved, may be judged by the correspondence. Major Shepherd positively states that I advised His Excellency to administer the censure, but I need hardly say such is not in accordance with the fact, nor indeed should I presume to offer advice on such point, unless by request.

Captain Deane's case I have already remarked upon in paragraph 3 of this letter.

Major Shepherd here asks why I did not urge upon him to withhold his insubordinate letter of the 29th August, 1873, instead of forwarding it. My reply to this is, that such a course may be advantageously practised with junior officers, of little or no experience, and comparatively small responsibility, but with an officer of Major Shepherd's position of command and influence, together with the fact of former misconduct of a similar nature, and the unsatisfactory attitude he has habitually adopted towards myself, rendered such a course inadvisable, were any finality to such conduct to be hoped.

Major Shepherd states, that my having forwarded Captain Deane's letter to His Excellency caused the dismissal of that officer, but in a former paragraph I have endeavoured to show that I performed the only duty left me by that officer's action.

Major Shepherd also states that Captain Bamford's dismissal was brought about by my "having given secret audience to one of Captain Bamford's subordinates." A perusal however, of His Excellency's Minute summing up Captain Bamford's case, as contained on page 29 of printed correspondence, marked B, will show that there was no secrecy about the audience, and that the dismissal was not so caused.

11. Major Shepherd attempts to justify his action in making direct appeal to the Legislature, first, on the ground that there is nothing in the regulations or customs of the Volunteer Service to prohibit such appeal; and secondly, that I have myself indicated such a course as expedient. With reference to the first, it appears to me that clause 4 of the Volunteer Act clearly indicates His Excellency the Governor, as the Queen's Representative, and Commander-in-Chief, as the person legally vested with authority to deal with the organization, discipline, and drill of the Volunteer Force; it is also indicated that he is the person to whom appeal is to be made for the redress of grievances, &c. As to its being sanctioned by custom in any Force of a Military organization, the idea is preposterous; the custom of the Military Service laying down the fundamental principle that complaints must be made to the superior military officer, observing the gradations of approach to such superior. I may now ask what would be the result to a subordinate in a Civil Department of the Government Service, were he to ignore his Ministerial Head by an appeal to the Legislature on an official matter—I should imagine serious. How much more improper, then, is it for such a course to be followed in a military body, where unity of action and command and the due observance of discipline is peculiarly essential to its efficiency and well-being.

As to the second, I may observe that an impartial and full quotation from my evidence before the Select Committee would not favour the conclusion arrived at by Major Shepherd—*vide* my replies to questions numbered respectively 486, 493, 530, and 531, pages 21 and 22 of printed correspondence marked D.

12. This paragraph appears to me to need no further notice than to refer to the cases of Captains Deane and Bamford, to see whether my action has been wrong or that of Major Shepherd and those whom he supported, and the consequent disapproval by their Excellencies the Earl of Belmore and Sir Hercules Robinson of their conduct. With reference to Lieutenant Talbot's case, it remains to be proved that I am in fault.

13. This paragraph appears to need no comment from me.

14. Reference to the correspondence will show that both in Captains Deane and Bamford's cases, I have been supported by my superiors, which I cannot for one moment think would have been accorded had I been to blame. As to Lieutenant Talbot's case, I have already endeavoured to prove that Major Shepherd is responsible, not only for the insubordinate tone, but also the length of the correspondence.

15. Major Shepherd's "key to the whole difficulty which has arisen between the Commandant and myself" is that I have been educated as an Infantry Officer, and connects that fact with the charge of having occasioned a large proportion of time to be wasted in instruction in infantry detail which might have been with greater advantage employed in the more essential duty of Artillery drills and instruction. I pass over my misfortune in having been educated as an Infantry Officer with the sole remark that in the Imperial Service it appears to be no bar to such an officer holding a general command (embracing Cavalry, Artillery, Engineers, and Infantry), but rather the reverse.

As to the waste of time attributed to me, I have to observe that, beyond an occasional Brigade of the whole Force, at which attendance is optional, the parades and drills of the Volunteer Artillery are ordered, without reference to me, by Major Shepherd and his officers, and with whom it rests to decide the nature of such drills. To enable, however, the Volunteer Artillery to present a creditable appearance at reviews, field days, &c., it is essential they should possess some knowledge of Infantry drill, and consequently the Volunteer Regulations very wisely lay down that a proportion of the drills required for efficiency should be Infantry drills. I may further observe that the Imperial Artillery are also exercised in Infantry drill.

In conclusion, I would draw attention to Major Shepherd's admission in commencement of paragraph 14 of his letter, which runs thus—"That it is, and always has been, an open question between the Commandant and myself whether I am bound to afford him that assistance and support of which he speaks, in cases where he is clearly at fault"; and, with reference thereto, I would observe that the exercise of this opinion, combined with the adverse support Major Shepherd has given his subordinates, is in reality, I respectfully submit, the "key to the whole of the difficulties" which have arisen between that officer and myself.

Major Shepherd here constitutes himself the judge of the actions of his superior officer, and withholds his support and assistance as he thinks proper, evidently forgetting that I am responsible for my actions, not to him, but to my superiors. It further appears to me that Major Shepherd's views are difficult and dangerous in application, as may be seen in cases quoted in this correspondence, and in which my conduct, although characterized by Major Shepherd as blameable, has not thus been viewed by my superiors. It also appears to have operated disastrously as regards Captains Deane and Bamford, who in all probability would never have been dismissed had Major Shepherd acted up to the duties and responsibilities of his position as their immediate commanding officer; and I do not hesitate to express my belief that had Major Shepherd afforded me his support and assistance, as he was in duty bound, there would have been no such unseemly disturbances with officers as are recorded in this correspondence, and which form a notable exception as regards the otherwise entire body of Volunteer Officers, who have, I am thankful to say, always paid me that respect, consideration, and support to which I am entitled by my position, and, I venture to hope, by my actions in regard to the administration of my command.

I have, &c.,

JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

(75/1,813.)

These papers relating to questions of discipline under the Volunteer Act are for His Excellency the Governor as Commander-in-Chief.

The former papers herewith were forwarded by the late Colonial Secretary to the Commandant, that he might obtain and submit Major Shepherd's explanations. In doing so he forwards likewise elaborate confutations of, and comments on, the explanations furnished by Major Shepherd, which make the whole case so presented more complete for consideration and decision.

13 March, 1875.

His Excellency.—JOHN R., 22/11/75.

No. 18.

MINUTE OF HIS EXCELLENCY THE GOVERNOR.

The Honorable the Colonial Secretary,—

I FEEL considerable difficulty in now dealing with this case, after the steps which have been taken in regard to it.

When I received the Commandant's letter of 25 November, 1874, addressed to me as Commander-in-Chief, complaining of the insubordinate and disrespectful letters addressed to him by Major Shepherd, the Officer commanding the Volunteer Artillery, I at once carefully perused the papers, and arrived at the conclusion that Major Shepherd's letters of the 12th and 20th November were so improper that they could only be dealt with in one way. I considered that Major Shepherd should at once be called on to withdraw the letters in question, expressing regret for having written them, and that failing such a retraction and apology he should be forthwith removed from his command of the Volunteer Artillery. As such a step, however, could only be taken by the advice of the Executive Council, I thought it desirable before minuting the papers for Council to ascertain the views of the Government on the subject. I accordingly, towards the end of November, 1874, sent the correspondence to Mr. Parkes with a note, asking him to read the papers and then confer with me upon them. I, at the same time, explained to Mr. Parkes my view as to the grave impropriety of Major Shepherd's conduct.

I

I once or twice subsequently asked Mr. Parkes if he had read the papers, when he replied that he had not, but would do so. Hearing, however, nothing further on the subject, I wrote to Mr. Parkes when he was going out of office early in February last, pointing out that Major Shepherd's case had not been disposed of and asking him to return me the papers. He replied, on the 5th February, that as he understood the papers had been sent for his consideration, he had some days previously sent them, through Colonel Richardson, for Major Shepherd's explanations.

The case was thus, as it were, taken out of my hands as Commander-in-Chief, and dealt with by the late Colonial Secretary in a manner of which I should certainly not have approved. A superior officer complains of insubordinate and offensive letters addressed to him officially by an inferior. The letters are transmitted and speak for themselves. They are proper or improper. If the former, why ask for an explanation? If, on the other hand, they are held by the Government to be improper, to refer the complaint of the superior back to the inferior complained of seems in effect a condonation of the impropriety and an invitation to repeat it,—an invitation of which Major Shepherd, as the sequel shows, was not slow to avail himself.

From that time I heard nothing more of the case until yesterday. It now appears, that in response to Mr. Parkes' invitation, Major Shepherd addressed the present Colonial Secretary on the 1st March last, and that this communication was sent in to the Government by the Commandant, with his observations upon it, in a letter also addressed to the Colonial Secretary, dated the 11th March last. These papers appear to have lain unattended to in the Colonial Secretary's office for over eight months, until they were, on the 22nd instant, submitted to me by the Colonial Secretary, without comment or advice, on the ground that as they relate to questions of discipline under the Volunteer Act they are for my consideration as Commander-in-Chief.

I have perused Major Shepherd's attempted explanation of 1st March, but it does not appear to me to furnish any justification of his insubordinate and disrespectful letters of the 12th and 20th November, 1874, complained of by Colonel Richardson, but rather to aggravate the original offence. The unfortunate relations which have so long existed between these officers are, however, easily accounted for by the following observation contained in Major Shepherd's last letter:—

"It is, and always has been, an open question between the Commandant and myself whether I am bound to afford him that assistance and support of which he speaks, in cases where he is clearly in fault."

In other words, the inferior officer is only to support and assist his official superior when he (the inferior) thinks the superior is right. Such a view of military obedience and loyalty is too grotesque to call for serious refutation. It speaks for itself, and is, as Colonel Richardson observes, the key to the whole case between these two officers.

What is now to be done about Colonel Richardson's well-founded complaint of the 25th November, 1874, I confess I do not clearly perceive. The action taken by the late Colonial Secretary without reference to me, and the delay which has since occurred in dealing with the case, relieve me of responsibility in the matter in my capacity as Commander-in-Chief. I have, therefore, only now to remit the correspondence for the consideration of the Executive Council, with the expression of my own opinion that Major Shepherd's conduct in the matter complained of by his superior officer is deserving of the severest reprobation, and that if such insubordinate proceedings as are disclosed in this correspondence are to be tolerated it will be far wiser and safer to get rid altogether of an armed organization conducted on principles so subversive of all proper discipline and control.

H.R.,
24/11/75.

No. 19.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office,
Sydney, 3 December, 1875.

Complaint as to insubordinate conduct of Major Shepherd.

I SUBMIT a lengthy correspondence containing a complaint made by Lieutenant-Colonel Richardson of disrespectful and insubordinate letters addressed to him as Commandant by Major Shepherd, commanding the Volunteer Artillery Brigade, together with a Minute Paper which His Excellency the Governor has been pleased, as Commander-in-Chief, to prepare, explanatory of the case submitted.

2. Concurring in the views of His Excellency, and believing in the indispensable necessity of maintaining proper discipline and subordination in armed organizations, though I forbear to recommend, in consideration of Major Shepherd's long connection with the Volunteer Force, that his further services should be dispensed with, I feel constrained to advise that he should be reprimanded for his insubordinate and disrespectful conduct.

3. I feel that it is more particularly needed in the present instance, as two officers in the same Brigade have already been removed in consequence of their insubordinate conduct, and because, were insubordination in this case tolerated, the total demoralization of the Force might be expected to follow.

4. I can make every allowance for the somewhat tardy appreciation in novices of the indispensable necessity of implicit submission to authority; but when a Volunteer of twenty years' service demurs to realize the principle which is the very basis of organization—obedience and respectful submission to authority—

authority—it implies something radically defective in the instincts which go to form a Commander and even a good soldier, and which severe reprobation only may suffice to bring to a fitter appreciation of what is absolutely necessary.

5. I regret that, for the reasons herein disclosed, I am unable to recommend the promotion of Major Shepherd with the other promotions recommended in my separate minute of this date.

JOHN ROBERTSON.

Approved.—H.R., 6/12/75.

MINUTE OF THE EXECUTIVE COUNCIL.

75/60.

PROCEEDINGS of the Executive Council, on the 6th day of December, 1875, with respect to the case of Major Shepherd, Commanding the Volunteer Artillery Brigade:—

HIS Excellency the Governor lays before Council a Minute Paper by the Honorable the Colonial Secretary on the subject of complaints of disrespectful and insubordinate conduct on the part of Major Shepherd, Commanding the Volunteer Artillery Brigade.

HIS Excellency also lays before the Council the whole correspondence bearing upon the case, together with a Minute embodying his views on the subject.

2. After careful consideration of the correspondence, and the Minute Papers of HIS Excellency the Governor and the Honorable the Colonial Secretary, the Council are of opinion that Major Shepherd's conduct, as therein disclosed, is insubordinate and disrespectful, and they therefore concur in the views expressed in the Minute Papers referred to.

Having regard to the fact that Major Shepherd's conduct has been unfavourably commented upon on former occasions, the Council now advise that he be reprimanded, and warned that his persistence in such a course must result in his removal from the Volunteer Service.

The Council further concur in the recommendation of the Honorable the Colonial Secretary that the promotion contemplated for the Officers Commanding Battalions be not extended to Major Shepherd.

ALEX. C. BUDGE,
Clerk of the Council.

Approved.—H.R., 14/12/75.

No. 20.

HIS EXCELLENCY THE GOVERNOR TO LIEUT.-COLONEL RICHARDSON.

Government House,
Sydney, 14 December, 1875.

SIR,

I have had under consideration in Executive Council your letter of the 25th November, 1874, complaining of the insubordinate and disrespectful letters of the 12th and 20th November, addressed to you by Major Shepherd, the Officer Commanding the Volunteer Artillery, and also Major Shepherd's explanation of the 1st March last, addressed to the Honorable the Colonial Secretary, together with your comments on that communication, embodied in your letter to the Colonial Secretary of the 11th March.

2. The accompanying copy of the Minute of the Proceedings of the Executive Council will acquaint you with the decision which I have arrived at in this case; and I have to request you to take the necessary steps for carrying that decision into effect.

3. Upon the receipt by you of the Commission appointing Major Wilson to the rank of Lieutenant-Colonel, that officer will assume the command of the Volunteer Artillery Brigade.

I have, &c.,

HERCULES ROBINSON.

No. 21.

MAJOR OF BRIGADE TO MAJOR SHEPHERD.

Brigade Office, Sydney,
20 December, 1875.

SIR,

I am directed to inform you, with reference to your letters of the 12th and 20th November, 1874, addressed to the Commandant—the Commandant's letter of the 25th November, 1874, addressed to HIS Excellency the Governor, regarding the same—your explanation of the 1st March last—and the Commandant's further communication, of the 11th of the same month, to the Honorable the Colonial Secretary,—that the correspondence in question having been laid before HIS Excellency the Governor in Executive Council, the Council are of opinion that your conduct, as disclosed in that correspondence, has been insubordinate and disrespectful. Having regard also to the fact that your conduct has been unfavourably commented upon on former occasions, they have directed that you be reprimanded, and warned that a persistence in such a course must result in your removal from the Volunteer Service.

HIS Excellency the Governor, in Executive Council, has been further pleased to direct that the promotion contemplated for the Officers Commanding Battalions be not extended to you.

HIS Excellency has moreover directed that, on the receipt of a Commission appointing Major Wilson to the rank of Lieutenant-Colonel in the Volunteer Artillery Brigade, that officer shall assume command of the Brigade.

The Commission appointing that officer to be a Lieutenant-Colonel having been now received, that officer will hereupon assume command from to-day.

I have, &c.,

THOMAS BAYNES, Major,
Pro Major of Brigade.

True copy,—THOS. BAYNES, Major, *pro* Major of Brigade.

No. 21.

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No. 22.

MAJOR OF BRIGADE to LIEUT.-COLONEL WILSON.

Brigade Office,
Sydney, 20 December, 1875.

SIR,

I have the honor to forward the accompanying commission appointing you Lieutenant-Colonel in the Volunteer Artillery Brigade, and to request you will be good enough to acknowledge its receipt.

A copy of the Brigade Order directing you to assume command of the Volunteer Artillery Brigade herewith.

I have, &c.,

THOS. BAYNES, Major,
Pro Major of Brigade.True copy,—THOS. BAYNES, Major, *pro* Major of Brigade.

[Enclosure in No. 22.]

Brigade Office,
20 December, 1875.

Brigade Order, No. 196.

1. A Commission, appointing Major Watson Wilson Lieut.-Colonel in the Volunteer Artillery Brigade having been received, that officer will assume command of the Brigade from this date.

By Command,

THOS. BAYNES, Major,
Pro Major of Brigade.True copy,—THOS. BAYNES, Major, *pro* Major of Brigade.

PAPERS IN LIEUT. TALBOT'S CASE REFERRED TO IN FOREGOING CORRESPONDENCE.

No. 23.

CAPTAIN BAYNES to MAJOR SHEPHERD.

Brigade Office,
Sydney, 26 February, 1873.

SIR,

I am directed to draw your attention to the length of time No. 2 Battery has been without a Captain, and to request you will be pleased to report, for the Commandant's information, why steps have not been taken to fill up this appointment.

I have, &c.,

THOMAS BAYNES, Capt.,
Acting Major of Brigade.

Lieut. Talbot will be good enough to state whether he is prepared to present himself for examination for promotion to the rank of Captain.—B.C., 27/2/73.

By order,

C. LETT, Captain,
Adj. V. A.

To be returned.

Seen and returned with reply.—P.T., 6/3/73.

No. 24.

LIEUTENANT TALBOT to MAJOR SHEPHERD.

Sydney, 117, Phillip-street,
12 March, 1873.

SIR,

I have the honor to acknowledge the receipt of your letter, No. 73/108, of the 26th February instant, and to reply that I have been long prepared to pass examination as Captain, and felt much hurt that no opportunity of doing so was afforded me when Captains were about to be appointed to the present Nos. 9 and 10 Batteries, by which my proper position in the Force has been taken from me; and, as I feel in consequence a reluctance to being promoted to a Captaincy junior to the officers of those Batteries, I trust I may not at *present* be pressed in this matter, unless my claim to be the senior to them be conceded.

I have, &c.,

PAUL TALBOT, Lt.,
Commanding No. 2 Battery, N.S.W. V.A.

Forwarded for information of Commandant.—P.L.C.S., Major Comg. V.A., 13/3/73.

It

It appears to me a very poor argument, that because Lieut. Talbot considers himself to have been wronged, that in consequence thereof the Battery should suffer, which I judge it has by the result of my last inspection. I should be glad if Major Shepherd would reply to letter of the 26th, as also inform me what he would recommend should be done in the matter. One thing is certain, that if Mr. Talbot does not choose to present himself for promotion, I shall exercise the powers vested in me by Clause 27, Vol. Regulations, and appoint a Board to examine him.—J.S.R., Lt.-Col. B.C., 15/3/73. To be returned.

No steps have been taken to fill up this appointment, because when Lieutenant Talbot was requested to present himself for examination for promotion, he declined to do so, on the ground that Mr. Deane had applied to be reinstated as Captain of No. 2 Battery. I thought this a sufficient reason for not insisting upon Mr. Talbot passing an examination.—P.L.C.S., Major Comg. V.A. B.C., 21/3/73.

The Major Commanding V.A. B.

There appears to me some discrepancy between Lt. Talbot's expositions of the reason for not undergoing an examination for promotion, which requires his explanation.—Referred accordingly.

No application on the part of Mr. Deane for re-appointment has been forwarded through me as required by the Volunteer Regulations, consequently I am quite ignorant of the matter, and I shall under these circumstances be glad if Major Shepherd can give me any information as to whether any application has been made—when, to whom, and with what result; also what he now recommends with reference to filling the vacancy in No. 2 Battery, as I think it high time something should be done to that end, as the Battery has now been eighteen (18) months without a Captain.—J.S.R., Lt.-Col., Comdt. B.C., 31/3/73.

For Lieutenant Talbot's explanation.—By order, C. LETT, Capt., Adj., V.A. B.C., 4/4/73.

With reference to the Commandant's desire for an explanation of my reasons for *not* undergoing an examination for promotion, I beg to state the reason assigned in my letter of 12th ultimo, is that by which I was actuated on the first instance, *i.e.*, when Captains were appointed to Nos. 9 and 10 Batteries, this my first and prior reason has not yet been removed, and my reluctance to go forward for promotion has certainly been increased by hearing that Captain Deane has applied to be reinstated.

At the same time, in order to *test* my competency, I am quite prepared, as indicated in my letter, to go up at once for examination, notwithstanding the encomiums passed upon myself and No. 2 Battery by the Commandant and the *late* Major Fitzsimons, at the half-yearly inspection of 1872, at the Barracks, the Battery then under my command.—P. TALBOT, Lieut. Comg. No. 2 Battery, V.A.

9/4/73. Recd.—15/4/73., P.L.C.S.

Forwarded for information of Commandant. The information as to any application for the reinstatement of Mr. Wm. Deane as Captain of No. 2 Battery, V.A., was communicated to me by him privately, and I ought not perhaps therefore to make any official use of it, but I have no doubt upon your intimating a desire to receive it, he will have no hesitation in furnishing full particulars.—P.L.C.S., Major Comg. V.A., 16/4/73.

Returned for Major Shepherd's reply to the last portion of my memo., 31/3/73, as I consider him responsible that the proper establishment of officers is maintained.—J.S.R., Lt.-Col. Comdt., B.C., 17/4/73.

I would recommend that Captain Deane be re-appointed to the Command of No. 2 Battery. I have never lost sight of the fact that the letter which was the cause of his removal from the Battery was written to me, and that perhaps therefore I should not have sent it on, but I did not view it in the same objectionable character as Lord Belmore seems to have done, and I venture to say that had you have anticipated the serious result that has ensued, you would have returned it to Captain Deane for his re-consideration, and even now, there can be little doubt but that your influence is all that is needed to give effect to my recommendation.—P.L.C.S., Major Comg. V.A., 23/4/73.

True copy,—W. B. B. CHRISTIE, Capt., Major of Brigade.

No. 25.

CAPTAIN CHRISTIE to MAJOR SHEPHERD.

Brigade Office,
Sydney, 6 October, 1873.

SIR,

I am directed to draw your attention to the very lengthened period that has been allowed to elapse in appointing a Captain to No. 2 Battery of the Brigade under your command, and to request you will be pleased to take the necessary steps for having the vacancy filled up with the least possible delay.

I have, &c.,
W. B. B. CHRISTIE, Capt.,
Major of Brigade.

In conformity with the Commandant's request, Lieut. Talbot will name as early a day as possible for his examination for the rank of Captain.—P.L.C.S., Major Com. V.A. 9/10/73. *To be returned.*

I am informed by Capt. Wm. Deane that he has appealed to Her Majesty the Queen against his dismissal. In the face of this appeal will the Commandant insist upon the vacancy being filled?—P. TALBOT, Com. No. 2 Battery V.A., 14/10/73.

For information of Commandant.—P.L.C.S., Major Com. V.A., 24/10/73.

The complement of this Battery has been incomplete for a long time. The Commandant would be acting unjustly towards the Battery were he to sanction any further delay in filling this vacancy, especially as a report was only made the other day as to the paucity of officers. Lieut. Talbot must be brought forward for examination without delay.—By command, W. B. B. CHRISTIE, Capt., Major of Brigade, 25/10/73.

For Lieut. Talbot's information, who will without delay name as early a day as possible upon which he will be prepared to submit himself for examination.—P.L.C.S, Major Com. V.A. 30/10/73.

Ford. Lieut. Talbot. M.S.C. 31 Oct., /73.

As already made known in my application for extension of leave, I cannot possibly give my attention to military matters until the date of the extension requested has expired. As the Major has kindly consulted my convenience, I will meet his request as early afterwards as possible.—P.T., Com. No. 2 B., V.A. 1/11/73.

True copy,—W. B. B. CHRISTIE, Capt., Major of Brigade.

Forwarded for information of Commandant.—P.L.C.S., Major, Com. V.A. 7/11/73.

No. 26.

LIEUTENANT TALBOT to MAJOR SHEPHERD.

Sydney, 117, Phillip-street,
8 October, 1873.

SIR,

I have the honor to request that my leave of absence be extended to the end of November next, on private affairs of the greatest importance, which will render it almost impossible for me to attend to my military duties up to that time.

I have, &c.,
P. TALBOT,
Com. No. 2 Bat., V.A.

Forwarded for consideration of Commandant.

I had, prior to this application, granted Lieut. Talbot leave for one month; I delayed sending this on pending the determination of the Commandant regarding Lieut. Talbot's examination. I would be glad if the Commandant would decide upon this application without any expression of opinion on my part.

31/10/73.

P.L.C.S., Major,
Com. V.A.

The officer commanding the Volunteer Artillery Brigade will be good enough, as usual, to state whether he does or does not recommend the granting of this application.

By command,
W. B. B. CHRISTIE, Capt.,
Major of Brigade.

7/11/73.

Recommended.—P.L.C.S. Major, Com. V.A. 12/11/73.

This extension of leave is granted, but Major Shepherd is directed to take steps for bringing Lieut. Talbot up for examination in the early part of December.

13/11/73.

By command,
W. B. B. CHRISTIE, Capt.,
Major of Brigade.

True copy,—W. B. B. CHRISTIE, Capt., Major of Brigade.

No. 27.

LIEUTENANT TALBOT to MAJOR SHEPHERD.

(73/2286)

Brigade Order, 13/12/73.

Sydney, 117, Phillip-street,
9 December, 1873.

SIR,

Having been called upon to undergo an examination as to my fitness to hold a position as Captain, I have the honor to request that such examination take place in the course of next week, my time just now being very limited.

I have &c.,
P. TALBOT,
Lieut., Commanding No. 2 Battery, V. A.

Forwarded, 9/12/73.—M.W.S.C.

For the information of the Commandant:

A Board has been detailed for the examination of Mr. Beatty, to assemble on Thursday, 18th instant, and it may be convenient that Lieutenant Talbot be examined at same time.

10/12/73.

P.L.C.S.,
Major Commanding Volunteer Artillery.

Major Shepherd's proposed arrangements concurred in by the Commandant.

By Command,
W. B. B. CHRISTIE, Captain,
Major of Brigade.

11/12/73.

True copy,—W. B. B. CHRISTIE, Captain, Major of Brigade.

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No. 28.

Brigade Office,
Sydney, 13 December, 1873.

Brigade Order, No. 188.

2.—THE Board of Officers alluded to in Paragraph 1, Brigade Order No. 181, of the 4th instant, will also examine Lieutenant Talbot as to his fitness for promotion to the rank of Captain.

By Command,
W. B. B. CHRISTIE, Captain,
Major of Brigade.

True copy,—W. B. B. CHRISTIE, Captain, Major of Brigade.

No. 29.

THE BOARD OF EXAMINERS TO MAJOR SHEPHERD.

Brigade Office,
Sydney, 12 January, 1874.

Examination of Lieut. Talbot, of No. 2 Battery Volunteer Artillery, for promotion.

WE certify that Lieutenant Paul Talbot has been examined by us as to his fitness for promotion to the rank of Captain in the Volunteer Artillery, and we are of opinion that he has passed a satisfactory examination.

We also beg to state that Acting Lieutenant Josias James Beatty has failed to pass a satisfactory examination.

WATSON WILSON, Major V.A.,
President of the Board.
FREDEKICK WELLS,
Capt. No. 9 Battery, V.A.
JOHN MACDONALD, JUNR.,
Capt. No. 10 Battery, V.A.

Recommended and forwarded for information of Commandant.—P.L.C.S., Major Com. V.A., 19/1/74.

True copy,—W. B. B. CHRISTIE, Captn., Major of Brigade.

No. 30.

Brigade Office, Sydney.

MEMO.—Major Shepherd will be good enough to state whether he recommends Lieut. Talbot for promotion to a Captaincy, and what he proposes doing regarding providing officers for No. 11 Battery?

By Command,
W. B. B. CHRISTIE, Captn.,
Major of Brigade.

20/1/74.

I have already recommended Lieut. Talbot as having passed a satisfactory examination by memo. on examining officers' certificate.

It has been usual to accord candidates a second chance when failing to pass. I can see no reason why Lieut. Beatty should form an exception.

I think he should be permitted to present himself again within three months.

P.L.C.S., Major,
Com. V.A.
22/1/74.

THE Commandant requires a general recommendation of Lieut. Talbot as to fitness. He may have passed a satisfactory examination and yet not be otherwise fitted. Major Shepherd's recommendation, *apart from the examination*, is required.

As to Mr. Beatty, there are in this office proceedings of two Boards, before both of which Mr. Beatty appeared. Of the first of these Major Shepherd was President, of the second Major Wilson was President. Both Boards declined to recommend him.

By Command,
W. B. B. CHRISTIE, Captn.,
Major of Brigade.

22/1/74.

True copy.—W. B. B. CHRISTIE, Captn., Major of Brigade.

Brigade Office, Sydney.

MEMO.—The Commandant wishes to know if Major Shepherd's memo. of 22/1/74, is to be understood as a recommendation for the promotion of Lieutenant Talbot. He also wishes to direct Major Shepherd's attention to the fact that there are in this office proceedings of *two* Boards of Examination before which Mr. Beatty appeared and failed to qualify.

By Command,
W. B. B. CHRISTIE, Captain,
Major of Brigade.
27/1/74.

I am not clear whether the promotion of Lieut. Talbot, referred to in the Commandant's Memo., 27/1/74, means to the rank of Captain generally, or to that of Captain commanding No. 2 Battery in particular. If the former, I know of no reason why Lieut. Talbot should not be promoted to the rank of Captain, and my memo. on examining officer's certificate was the same in every way as those hitherto furnished and accepted on similar occasions. I could not recommend the latter course, having already (at the Commandant's request) recommended another method of filling up the existing vacancy *previous to the matter of the captaincy of No. 2 Battery having been referred to Her Majesty*. Now that the matter has

has been so referred, I should feel myself compelled to decline any participation whatever in filling up that appointment, as my doing so would, in my opinion, be tantamount to anticipating Her Majesty's decision.

The first Board regarded Mr. Beatty's examination as preliminary only, and as such was considered satisfactory. Should the Commandant, however, take a different view of the matter, I would suggest that the Battery be invited to nominate some other member as a candidate.

30/1/74.

P.L.C.S., Major,
Com., V.A.

Mr. Beatty may, as recommended by Major Shepherd, be again examined.—J.S.R., Lt.-Col., Comdt. To be returned.—3/2/74. B. returned,—P.L.C.S., Major, Com. V.A. 6/2/74.

True copy,—W. B. B. CHRISTIE, Major of Brigade.

No. 31.

LIEUTENANT TALBOT TO THE OFFICER COMMANDING VOLUNTEER ARTILLERY.

Sydney, Circular Quay,
30 March, 1874.

SIR,

I have the honor most respectfully to request to be informed how it is that the same amount of courtesy is not extended to me as to that of other officers in the Volunteer Force, regarding my examination for promotion to a Captaincy.

I was peremptorily ordered up for examination as to my fitness for promotion to that of a Captain in the middle of December, 1873 (although in the height of family trouble), and obeyed that order by going through the ordeal; but from that time to the present have not received any official notice as to the result—"now upwards of three months."

I do feel, therefore, that on the same grounds that I was called up, I am entitled to ask to be informed whether I have passed or no, as under the circumstances I am left in a very invidious position with the battery to which I belong.

I have, &c.,

PAUL TALBOT.

Com. No. 2 B., V.A.

Forwarded,—W. W., Major, V.A., 1/4/74.

True copy,—W. B. B. CHRISTIE, Capt., Major of Brigade.

No. 32.

CAPTAIN CHRISTIE TO THE OFFICER COMMANDING VOLUNTEER ARTILLERY.

(74-203.)

Brigade Office,
Sydney, 1 April, 1874.

SIR,

I am directed by the Commandant to acknowledge the receipt of Lieutenant Talbot's letter of the 30th March last, relative to his appointment as Captain of No. 2 Battery, and to request you will be good enough to inform him, as he has passed the requisite examination (as far as the Commandant is concerned), the only thing wanting is the recommendation of his promotion by the Officer Commanding the Volunteer Artillery Brigade; on obtaining this, Lieutenant Talbot's promotion will at once be recommended to His Excellency the Governor.

I have, &c.,

W. B. B. CHRISTIE, Capt.,

Major of Brigade.

True copy,—W. B. B. CHRISTIE, Captain, Major of Brigade.

No. 33.

LIEUTENANT TALBOT TO LIEUT.-COLONEL RICHARDSON.

Sydney, 117, Phillip-street,
9 April, 1874.

SIR,

1. I have the honor, in answer to Captain MacDonald's remarks on my letter dated 19th January, wherein he would make it appear that my examination papers were not retained as stated therein, most respectfully to be allowed to state, in confirmation of the truth of such statement, that it will be seen if reference be made to Major Wilson's "memo," on my letter of the 9th Jan. /74, that he forwarded my examination papers to Capt. Wells on the 23rd Dec., /73, and he received them back on the 2nd Jan., /74. Major Wilson then forwarded them to Captain MacDonald on the following day, the 3rd Jan., /74, and again received them back from him on the 13th Jan., /74, thus making ten days in each instance—altogether three weeks, less one day. Therefore I feel, in justice to myself, fairly entitled to prove my statement to be correct and borne out by facts.

2. I further beg to state that great injustice appears to have been done me as an officer, from the fact that notwithstanding my having gone through my examination in the early part of December last, that up to the present moment I have neither received a commission to the rank of a Captain, for which object I was *urgently* called upon to pass, or have I had the slightest official intimation as to whether I am entitled to the same; and I therefore feel my case to be a very hard one, more especially as I see my junior officer in receipt of his commission in less than two weeks after examination.

Having forwarded a letter dated 30th March on this matter, and not having received any reply, anxiously waiting the same,—

I have, &c.,

P. TALBOT,

No. 2, B. V.A.

The

The Brigade Major, V.A., 13/4/74—W.W., Major, V.A.

In reference to par. 1 of this letter, the Commandant, knowing nothing of the circumstances in question or other correspondence regarding it, can offer no remarks; as to par. 2, a letter was written by the Major of Brigade on 1/4/74, in reply to a letter from Lieut. Talbot, dated 30/3/74, stating that the only thing now wanting before Lieut. Talbot's name could be submitted for promotion was the recommendation of the Officer Commanding the Vol. Art. Brigade.

By Command,

W. B. B. CHRISTIE, Capt.,
Major of Brigade,

14/4/74.

The Officer Com. Vol. Art. Brigade.

Returned for information of Lieut. Talbot.—P.L.C.S., Major, Com. V.A., 23/4/74.

On reference to the Major of Brigade's letter (by order of the Commandant), on the 1st of April, I find the usual approval and recommendation of the Major Commanding Vol. Artillery's endorsement for promotion. I therefore earnestly request to be informed what is the impediment now in the way. My case appears to be a most unprecedented one, and by further delay have little doubt that other juniors (as has been done already) will be placed over my head much to my prejudice as a Volunteer Officer.—P.T., Com. No. 2 B., V.A., 27/4/74.

Forwarded for information of Commdt.—P.L.C.S., Major, Com. V.A., 28/4/74.

See memo. to Major Shepherd, 2/5/74.

True copy,—W. B. B. CHRISTIE, Capt. Major of Brigade.

No. 34.

CAPTAIN CHRISTIE TO THE OFFICER COMMANDING VOLUNTEER ARTILLERY:

Brigade Office, Sydney, 2/5/74.

MEMO.—With reference to memo., dated 27/4/74, by Lieut. Talbot, Vol. Art. Brigade, on the subject of his recommendation for promotion, the Commandant notes that, although previously Major Shepherd had recommended Lieut. Talbot as having passed a satisfactory examination, he yet, in memo. dated 30/1/74, stated that he could not recommend that such a course as the appointment of Lieut. Talbot to the command of No. 2 Battery should be adopted. Major Shepherd has not as yet stated that he wishes to recommend that the Captaincy of No. 2 Battery shall be given to Lieut. Talbot.

By Command,

W. B. B. CHRISTIE, Capt.,
Major of Brigade.

I would be glad if the Commandant would kindly state in full my reasons for not recommending the appointment of Lieut. Talbot, in order that he may be made aware of the exact state of the case.—P.L.C.S., Major, Com. V.A., 5/5/74.

The Commandant having in a memo. previously issued (this day), requested the attendance of Major Shepherd and Lieut. Talbot, with a view to explanation in this matter, the Commandant thinks it unnecessary to forward this correspondence, which Major Shepherd can see on Thursday.—By Command, W. B. B. CHRISTIE, Capt., Major of Brigade, 11/5/74. The Officer Commanding Volunteer Artillery Brigade.

True copy,—W. B. B. CHRISTIE, Capt., Major of Brigade.

The Commandant will please observe that it is not I who require the correspondence. I desired my reasons might be stated in full (which the Commandant omitted to do) for Lieut. Talbot's information. I presume Lieut. Talbot waited upon the Commandant on Thursday last, and was permitted to see the correspondence, which would answer every purpose.

I have just received a second application from Lieut. Talbot, dated 15th instant, requesting his promotion to the rank of Capt. to No. 2 Battery. I have returned this to him as superfluous, inasmuch as my opinion on the subject has been already stated in this correspondence, to the effect that Lieut. Talbot should receive his promotion but not the command. I could not possibly recommend the latter, for the Commandant will doubtless remember having directed me to make a recommendation for the purpose of filling up that appointment, when I advised the reinstatement of Capt. Deane—a recommendation which has been passed by without notice.—P.L.C.S., Major, Com. V.A., 18/5/74.

Major Shepherd's memo. of 30/1/74 was read in its entirety to Lieut. Talbot.—By Command, W. B. B. CHRISTIE, Capt., Major of Brigade. The Officer Commanding V.A.B.

True copy,—W. B. B. CHRISTIE, Capt., Major of Brigade.

No. 35.

LIEUTENANT TALBOT TO MAJOR SHEPHERD.

Circular Quay, Sydney,
6 May, 1874.

SIR,

I have the honor to request permission to peruse the correspondence relative and subsequent to my examination for the rank of Captain and having reference to my promotion to that grade, as I have failed to arrive at any clear understanding of my position from the personal interviews and explanations on the subject which I have had with the Commandant and yourself.

I make this application with a view of ascertaining the cause of my promotion being delayed, by which fact I remain *precluded* both from standing as a *candidate* for a majority as also from the privilege of voting (in the event of an election for that rank) with other officers, which I am positively informed will be the case immediately.

I have, &c.,

P. TALBOT,
Com. No. 2 Batt., V.A.

Recommended

Recommended and forwarded for consideration of Commandant.—P.L.C.S., Major Com., V.A. 6/5/74.

On Thursday, the 14th May, the Commandant will see Major Shepherd and Lieutenant Talbot with a view to an explanation of the correspondence alluded to. Major Shepherd will be good enough to at once inform Lieutenant Talbot.—By Command, W. B. B. CHRISTIE, Capt., Major of Brigade, 11/5/74. The Officer Commanding Volunteer Artillery Brigade.

In obedience to memo 11/5/74, I have warned Lieutenant Talbot to wait upon the Commandant as directed. I trust the Commandant will excuse my attendance, since I should decline entering into further verbal explanations, such having already proved unsatisfactory to Lieutenant Talbot. Should any further information be required I venture to suggest that in justice to all concerned it should be recorded on the face of the correspondence.—P.L.C.S., Major Com. V.A., 12/5/74.

Lieutenant Talbot seen personally regarding this matter.—14/5/74.

True copy,—W. B. B. CHRISTIE, Capt., Major of Brigade.

No. 36.

LIEUTENANT TALBOT TO MAJOR SHEPHERD.

117, Phillip-street, Sydney,
15 May, 1874.

SIR,

Having been officially informed that I have passed my examination for the promotion to a Captaincy, for which I was peremptorily called upon in December last, I have the honor to request that I may be at once appointed as Captain to No. 2 Battery, V.A., as the Battery, in the absence of its Captain for so long a time past, has been seriously suffering.

I have, &c.,
P. TALBOT,
Lieut., Commanding No. 2 Battery, V.A.

Returned for Lieut. Talbot's reconsideration, my opinion having been already submitted in the previous correspondence, as Lieut. Talbot must be aware. If that correspondence was shown to him by the Commandant at the interview on Thursday last, it appears superfluous to forward his present application.—P.L.C.S., Major, Com. V.A., 18/5/74.

I trust the Officer Commanding will forward this application, as it has been written at the desire of the Commandant, with a view to its being laid before His Excellency. The Commandant did not (as the Officer Commanding supposes) afford me a perusal of the correspondence.—P.T., No. 2 Batt., V.A., 19/5/74.

Had I been aware of the Commandant's views regarding this application, I should not have hesitated to forward it. As the matter is to be submitted to His Excellency may I request that the whole correspondence (*and not this application only*) be laid before him, as otherwise I conceive it impossible that the case can clearly be understood.—P.L.C.S., Major, Com. V.A., 19/5/74.
The Officer Commanding V.A.B.

Being of opinion that Lieut. Talbot has cause of complaint, and that the interests of No. 2 Battery have been injuriously affected by the extreme delay in filling up the vacancy of Captain, which vacancy occurred in September, 1871, I consider it my duty to bring the matter under the notice of His Excellency the Governor with the view to filling up the vacancy in such way as he may deem fit. I cannot, however, allow Lieut. Talbot's memo. 19/5/74 to pass unnoticed, and have to remark that he errs in saying it was "at the desire of the Commandant" he made this application, the fact being that he inquired of me what he was to do, as he felt he was unjustly treated, and that it seemed to him that he could get no redress. I replied to the effect that the only course, as far as I could see, was for him to make a direct application to Major Shepherd to be appointed to the vacant Commission in his own Battery, viz., No. 2.

I cannot understand Lieut. Talbot asserting that I did not afford him an opportunity of perusing the correspondence, I having placed the papers in his hands (in presence of the Major of Brigade), and he having declined the opportunity thus afforded, accompanied with the remark that he was quite satisfied with what I had read over to him.—J.S.R., Lieut.-Col., Commdt., 28/5/74. To be returned.

True copy,—W. B. B. CHRISTIE, Captain, Major of Brigade.

Recd., 30/5/74.—P.L.C.S. Forwarded for Lieut. Talbot's information.—P.L.C.S., Major, Com. V.A., 30/5/74. To be returned.

I acted under the advice of the Commandant in this matter, and I certainly did not have an opportunity afforded me by him of perusing the correspondence, but only *one* paper to prove that my ground of complaint lay not against himself but against Major Shepherd. This paper having been already read to me by the Commandant, I considered it would be both unnecessary and uncourteous for me to do so, and consequently declined. I must repeat that no other portion of the correspondence was offered me to read.—P.T., Com. No. 2 Battery V.A., 30/5/74.

With

With reference to Lieut. Talbot's statement as to the correspondence, I think it my duty, in justice to that officer, to remind the Commandant of his conversation with me whilst he was on horseback in front of the V.A. Office, on the day of our interview with Mr. Parkes, when he told me in reference to this matter that he had not shown Lieut. Talbot the whole correspondence.—P.L.C.S., Major, Com. V.A., 1/6/74.

I informed Major Shepherd that I had not read all the correspondence to Lieut. Talbot. The Major of Brigade will be pleased to state what occurred with reference to the opportunity afforded Lieut. Talbot for his perusal of the documents.—J.S.R., Lt.-Col., Commandant., 5/6/74.

The Commandant informed me, prior to his interview with Lieut. Talbot, that he was going to show that officer the correspondence on the subject of his promotion. On the day Lieut. Talbot had his interview with the Commandant, the latter, after some prefatory remarks, read one particular minute out, which he appeared to consider contained the "gist" of the correspondence. He then tendered Lieut. Talbot the correspondence, as I understood, to give Lieut. Talbot in the first instance an opportunity of quietly reading over the special minute, and, secondly, of perusing any other portion of the correspondence.

This Lieut. Talbot declined to do, nor did he ask to see any other portion of the correspondence. I certainly understood that he considered he had got at the truth of the matter, and required to see nothing more, especially as there had been no refusal to allow him to peruse the papers, nor had he expressed himself as dissatisfied with the withholding of anything.—W.B.B.C., M. of B., 6/6/74. For Major Shepherd's information—J.S.R., Lt.-Col., Commat., 8/6/74. To be returned.

Lieut. Talbot's memo. 30/5/74, that of Commandant's 5/6/74, and that portion of Brde.-Major's memo 6/6/74—stating "This Lieut. Talbot declined to do" (referring to the *one particular minute* read to him by Comdt., and the words immediately following—"nor did he ask to see any other portion of the correspondence")—appears to me to agree in indicating that Lieut. Talbot has not as yet had the entire correspondence read to him nor placed in his hands for his own perusal, as I recommended in previous correspondence. I still think Lieut. Talbot should have an opportunity afforded him of reading the whole correspondence through carefully, either before or after it has been submitted to His Excellency. I have not forwarded these papers to Lieut. Talbot this time, as there appears to me nothing new in them. I will however, do so, should the Comdt. deem it proper.—P.L.C.S., Major, Com. V.A., 12/6/74. Referred to Major of Brigade.—J.S.R., 16/6/74.

I certainly understood the Comdt. to afford Lieut. Talbot an opportunity of perusing the correspondence, *i.e.* the whole correspondence, but that Lieut. Talbot, believing he had got at the root of the matter by hearing the one particular minute read over, did not want to do so.

The whole correspondence pinned together was placed in Lieut. Talbot's hands.—W.B.B.C., M. of B., 17/6/74.

For Major Shepherd's information, who will be pleased to direct Lieut. Talbot to attend at this office in order that he may peruse the correspondence.—J.S.R., Lt.-Col., Comdt., 17/6/74.

Lieutenant Talbot will attend at the Brigade Office in obedience to above memo., naming time.—P.L.C.S., Major, Com. V.A., 19/6/74.

The Major of Brigade, in his memo., 6/6/74, merely states the correspondence to have been *tendered* me. In his last memo., 17/6/74, he adds (apparently by an after-thought): "The whole correspondence pinned together *was placed in Lieutenant Talbot's hands.*" I have here to point out the discrepancy, because it goes far to show that a mistake has been made by the Major of Brigade, as such is really the case; the fact being that the correspondence was not placed in my hands *at all*, nor was *any portion* of it. I am sensible how little the unsupported assertion (though correct) of a subordinate is likely to weigh against even a mistaken idea on the part of his superiors. Having thus been once unexpectedly placed in this awkward position, I prefer to avoid again placing myself in a similar position, and would therefore respectfully request leave to be permitted to peruse the correspondence in your office and in your presence (which I presume will be considered a sufficient guarantee for its safe return). This I should be thankful to do at any time you may deem fit to appoint.—P.T., Com. No. 2 B., V.A., 23/6/74.

Returned for Lieutenant Talbot's reconsideration. Having carefully perused the last memo., it appears to me that the contradiction of the Brigade Major's assertion which it contains can hardly fail to occasion an official inquiry.—P.L.C.S., Major, Com., V.A., 26/6/74.

I return my respectful thanks to the officer commanding for his kind consideration and warning, but as I am prepared to make oath, if necessary, that my statement is correct, and merely represent that a *mistake* has been made by the Major of Brigade (and all men, without reference to their position, are liable to make them), I request that the papers be forwarded as usual. Had I said that the Brigade-Major had wilfully misstated circumstances it would have been different.

May I be permitted to suggest that the correspondence appears to me to be verging from the real point, *viz.*: The application of mine, dated 15th May last, and my memo, 23/6/74, requesting leave to be permitted to peruse the correspondence in your office, and in your presence," to which latter request I respectfully beg for some definite reply.

2/7/74.

P.T.,
Com. No. 2 Battery, V.A.

Forwarded to the Commandant. Should Lieutenant Talbot's request be complied with I will undertake to return the correspondence in safety.—P.L.C.S., Major Com. V.A. 3/7/74.

P.S.—

P.S.—With reference to Commandant's memo. (annexed), 29/6/74, the Commandant will perceive that some delay was occasioned by my having returned the papers to Lieutenant Talbot for reconsideration of his memo., 23/6/74; I only received it again to-day. P.L.C.S., Major, Com. V.A. 3/7/74.

The Commandant to Major of Brigade,

Was an opportunity afforded Lieutenant Talbot of perusing the whole of the correspondence?

J.S.R., Lieut.-Col.,
Commandant.

6/7/74.

Yes.—W. B. B. CHRISTIE, Capt., Major of Brigade, 8/7/74.

Lieutenant Talbot to state whether *in the interview* he had with the Commandant for the purpose of explanation and of perusing papers, he ever intimated his wish to see or hear more than he did see or hear, or his dissatisfaction at insufficient opportunity for so perusing the correspondence having then been given him.—By command,—W. B. B. CHRISTIE, Capt., Major of Brigade. 8/7/74.

I did not ask to see any of the correspondence on the day I was ordered to meet Major Shepherd, who did not appear before the Colonel.

[*This memo. in the handwriting of Lieut. Talbot, but the concluding portion at the corner has been torn off.*]

True copy,—W. B. B. CHRISTIE, Capt., Major of Brigade.

No. 37.

CAPTAIN CHRISTIE TO MAJOR SHEPHERD.

Brigade Office,
Sydney, 29 June, 1874.

MEMO.—Major Shepherd is requested to be good enough to return the correspondence in Lieut. Talbot's case. Sent with commandant's minute, 17/6/74.

By command,

W. B. B. CHRISTIE, Capt.,
Major of Brigade.

True copy,—W. B. B. CHRISTIE, Capt., M. of B.

No. 38.

CAPTAIN CHRISTIE TO MAJOR SHEPHERD AND LIEUTENANT TALBOT.

Brigade Office,
Sydney, 6 July, 1874.

MEMO.—Major Shepherd and Lieutenant Talbot will be good enough to attend at the Brigade Office together some day this week, the day and hour to be notified to this office by Major Shepherd.

By command,

W. B. B. CHRISTIE, Capt.,
Major of Brigade.

True copy,—W. B. B. CHRISTIE, Capt.,
Major of Brigade.

No. 39.

LIEUTENANT TALBOT TO MAJOR SHEPHERD.

5 p.m.

Sydney, Circular Quay,
8 July, 1874.

SIR,

I have the honor to beg that no importance whatever may be attached to the contents of the paper which you just now compelled me to write. The truth is I was so much taken by surprise, and so confused by your peremptory order, that I was not (as I explained to you at the time) able to judge so suddenly of the question, or of my reply; and the subsequent debate was so excited that I find myself quite unable to recall the purport of either.

I have, &c.,

P. TALBOT, Lt.,
No. 2 Battery, V.A.

Please forward.

I, in the first instance, took it for granted that the Commandant intended that Lieutenant Talbot should take the memo. with him, and write his reply at leisure. And the Commandant will remember that I explained to Lieutenant Talbot this view; the Commandant, however, would not permit this. Perhaps the contents of this letter may induce him to refer the question to Lieutenant Talbot for consideration and reply.

On reference to my notes on the subject of the interview, I believe what Lieutenant Talbot states in this letter to be the case.—P.L.C.S., Major, Com., V.A., 9/7/74.

True copy,—W. B. B. CHRISTIE, Capt., Major of Brigade.

No. 40.

No. 40.

CAPTAIN CHRISTIE TO THE OFFICER COMMANDING VOLUNTEER ARTILLERY.

Brigade Office,
Sydney, 11 July, 1874.

MEMO.—The Commandant cannot close this correspondence without again pointing out to Lieutenant Talbot the very improper tone of his memos. of 30/5/74, and 23/6/74, impugning as they do, not only the veracity of the Major of Brigade, but his own. As regards the latter memorandum, Lieutenant Talbot certainly, in his subsequent memo. of 2/7/74, somewhat modifies his language, but he still urges in that communication that he should be allowed to peruse the correspondence elsewhere than in the Brigade Office—a request first made in his memo. of 23/6/74, as an apparent sequence to his denial of the truth of the Major of Brigade's statement. The Commandant would feel exceedingly sorry to express himself in such decided terms as to Lieutenant Talbot's version of this affair as that officer has chosen to do when making *his* comments upon it. He quite concurs with Lieutenant Talbot, when he speaks of the liability of all men to error, yet as he feels quite convinced as to the entire accuracy of his own statements and those of the Major of Brigade, it cannot be matter of surprise that he should take exception to language so unusual as that which virtually gives the lie direct to his superior officer, and further implies a want of faith in his honesty of purpose. It need hardly be said that such language is unusual among gentlemen. He cannot therefore but think that, on a reperusal of this correspondence, Lieutenant Talbot will feel it incumbent upon him to modify or retract the possibly hastily written memos. above referred to.

An opportunity was some three days since, in this office, afforded to Lieutenant Talbot of perusing the correspondence as to his promotion, which he declined then to avail himself of. On attending at the Brigade Office in company with the Officer Commanding the V. A. B., Lieutenant Talbot will still be at liberty to peruse the correspondence. Until he has done so, the Commandant will not feel himself justified in forwarding that correspondence to His Excellency the Governor.

In conclusion, the Commandant thinks it matter for regret that Major Shepherd did not personally exert his authority over his subordinate, and compel him to express himself in terms more befitting his position in the Force.

By Command,
W. B. B. CHRISTIE, Capt.,
Major of Brigade.

Forwarded for information and consideration of Lieut. Talbot.—P.L.C.S., Major Com. V.A.,
15/7/74.

I regret exceedingly that anything that I may have said should annoy the Comdt., and I fully acknowledge the possibility that my language may admit of some refinement, being a frank and plain spoken man by habit. I therefore beg the Commandant will be good enough to take the refinement for granted. It is, however, strictly true that "the correspondence was not placed in my hands *at all*, at the interview, nor was *any* portion of it," as stated in my memo. 23/6/74. It would be more satisfactory to me, if the truthfulness of the statement of mine at which the Commandant appears to take offence, were investigated by a Court of Inquiry, rather than be made the subject of further recrimination. I respectfully beg to decline to attend at the Brigade Office again relative to this matter, as I consider I was harshly and unfairly used on the last occasion of my doing so, *i.e.*, the 8th instant. If therefore my request made on Mem. 23/6/74, to be permitted "to peruse the correspondence in your office and in your presence" cannot be granted, I have no alternative but to give up all idea of perusing it at all.

At the same time, I respectfully request of the Commandant to carry out, if he will kindly do so, the duty he takes on himself at the commencement of his Memo. 28/5/74, to bring the matter under the notice of His Excellency the Governor, with the view to filling up the vacancy, &c., &c., &c.

P.T.—Lt. Com. No. 2 B., V.A.—16/7/74.

In allusion to the censure on myself with which the Commandant concludes his memo. 11/7/74, I cannot but consider such censure being on a memo. which it is was indispensable that I should forward to my subordinate to be somewhat hard. It is not the first time however the Commandant has treated me in a similar manner. The compulsion which the Commandant regrets I did not resort to is impossible among Volunteers, who in one phase are the equals of their officers, and are not subject to martial law. Under the Act they can, after due inquiry, be punished for misconduct, and it appears to me that Lieut. Talbot, in challenging such inquiry, has indicated the best course to be followed in the present instance. Will the Commandant favour me with instructions whether or not Lieut. Talbot is to be suspended from military duty?—P.L.C.S., Major, Com. V.A. 18/7/74.

1. The Commandant is unable to coincide in Major Shepherd's views as to his individual responsibility of command, consequently it becomes his duty to point out that, as all the officers alluded to were acting in their *respective military official capacities*, it is clear that Major Shepherd should have exerted his authority over his subordinate, to compel him to address his superior officer in befitting terms;

terms; even if the attempt had failed, the desire of Major Shepherd to check the impropriety of which the Commandant deems Lieutenant Talbot to have been guilty would have been placed on record, which is all that can reasonably be expected in such cases. Moreover the *absence* of any memo. of such a nature is liable to give a subordinate an impression that his action towards the Commandant is approved by his immediate commanding officer.

2. Major Shepherd's duty in this respect was clearly pointed out by His Excellency the Earl of Belmore, in letter dated 19th January, 1872, contained in printed correspondence respecting Captain Bamford and No. 8 Battery, and the Commandant therefore trusts that for the future Major Shepherd will be guided by the expressed views of his superiors, and thus avoid what has already to a certain extent led to a great deal of vexatious trouble, to the prejudice of the Public Service, and has moreover formed (the Commandant regrets to observe) a notable difference between the Artillery Brigade and the other Battalions of the Force.

3. The Commandant sees no necessity for any Court of Inquiry, being already in a position to arrive at a correct conclusion as to the facts of the case.

4. The Commandant's views as to the expediency of Lieutenant Talbot's promotion having been materially altered by what has occurred, he is not prepared at present to take upon himself the duty referred to in that officer's memo. 16/7/74.

5. The two concluding paragraphs may be communicated to Lieutenant Talbot.

21/7/74.
Officer Com. V.A.B.

By command,
W. B. B. CHRISTIE, Capt.,
Major of Brigade.

I am not at all clear as to the meaning of the Commandant's expression "all the officers alluded to were acting in their respective military official capacities," unless it be that he understands the Volunteer Act to require Volunteers, under all circumstances, as well out of as in uniform, to be regarded as in their military capacity, a view which I think might be open to dispute. This, however, is not now the question. I would respectfully request the Commandant to point out in what particulars the Earl of Belmore's letter of 19th January, 1872, applies to my conduct in the present case. His Excellency in that letter reproves me for forwarding a letter from Captain Bamford "*without remonstrance*," for which reason I was careful not to do so in the present matter of Lieut. Talbot, but *returned that officer's communication with a warning*. In doing this I conceived myself to be obeying, not infringing, His Excellency's commands. I am equally grieved and surprised that the Commandant should have remarked so notable a difference between the Volunteer Artillery and other Volunteer Battalions, to the disadvantage of the former. I am not aware of anything of the kind myself. Will the Commandant kindly particularize the points in which this unfortunate difference appears to him to exist, that I may be enabled to adopt or suggest a remedy for the same.

The last paragraph of the Commandant's Memo. has been complied with.

P.L.C.S., Major,
Com. V. A.

True copy,—W. B. B. CHRISTIE, Capt., Major of Brigade.

No. 41.

LIEUTENANT TALBOT TO THE OFFICER COMMANDING VOLUNTEER ARTILLERY.

Sydney, 117, Phillip-street,
4 September, 1874.

SIR,

It having come to my knowledge that one of the Majors of the Artillery has sent in his resignation, I have the honor to point out that (should an election for Major take place) my interests, whether as candidate or voter, appear likely to suffer, unless I speedily receive the rank of Captain, for which I passed my examination several months ago. The Commandant was pleased in his memo. 28/5/74 to express an opinion in allusion to the delay, that "I had cause of complaint," and I respectfully put it to him whether such cause of complaint should, in justice, be permitted to continue to my possible exclusion from all participation in such election. Awaiting an early reply,

I have, &c.,

P. TALBOT, Lieut. No. 2 Battery,
N. S. W. V. Artillery.

Forwarded for information and consideration of Commandant.—P.L.C.S., Major, Com. V. A., 9/9/74.

Major Shepherd will be good enough to inform Lieut. Talbot that on receipt of his application for promotion to the command of No. 2 Bat., and Major Shepherd's recommendation thereof, the Commandant will take this matter into consideration.

By Command,

W. B. B. CHRISTIE, Capt.,
Major of Brigade.

11/9/74
Officer Comg. V. A. B.

True copy,—W. B. B. CHRISTIE, Capt., Major of Brigade.

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No. 42.

LIEUTENANT TALBOT TO THE OFFICER COMMANDING VOLUNTEER ARTILLERY.

Sydney, 117, Phillip-street,
30 September, 1874.

SIR,

I beg leave to call your attention to the following facts:—

The Commandant, in his memo. 28/5/74, referring to my applications for promotion, was pleased to allow that I had cause of complaint owing to the (even that date) considerable delay which had occurred in filling up the vacancy of Captain in No. 2 Battery, expressing, further, his opinion that the interests of that battery had been injuriously affected thereby, and that it became his "duty" to cause the same to be filled up forthwith.

This would probably have been done had not the Commandant taken offence at my contradicting a certain statement of his *erroneously* made, on which account he declined to recommend me for promotion at that time; but now, by his memo. on my letter 4/9/74, permits me to renew this my application.

I, therefore, beg respectfully to reiterate my application for promotion to the rank of Captain (for which I passed my examination in December, 1873), not only on the grounds above stated, but also on the additional ground that I must otherwise be excluded, whether as candidate or voter, from all participation in the election of Major, to take place consequent on the resignation of Major Clarke.

I have, &c.,

P. TALBOT,
Comd. No. 2 Bat. V. A.

If the Commandant can inform me that Captain Deane's application for Quartermaster will be granted, I will make special application for Lieutenant Talbot's promotion to the command of No. 2 Battery, as no obstacle will then exist.—P.L.C.S., Major, Com. V. A. 30/9/74.

I am unable to afford the information sought.—J.S.R., Lt.-Col., Comdt. B.C. 1/10/74.

Under the circumstances I can only reiterate my recommendation made in previous correspondence, that Lieut. Talbot should receive his promotion to the rank of Captain for which he passed his examination some nine months since, and further beg specially to suggest, for the Commandant's consideration, that he should be permitted to exercise the privileges of Captain at the ensuing election for Major, to take place on the afternoon of the 14th inst., or that the election be postponed until he has been promoted. May I be permitted to express my opinion that for Lieut. Talbot to have remained excluded from enjoying the rank to which he would appear to have been so long entitled is somewhat hard, but to exclude him from its privileges in so important a point as the present, which once passed becomes irrevocable, would be very severe and unmerited. I should have dealt with this subject earlier, had it not been that I have felt perplexed how to act for the best.—P.L.C.S., Major Com. V.A., 12/10/74.

True copy,—W. B. B. CHRISTIE, Capt., Major of Brigade.

No. 43.

LIEUTENANT TALBOT TO THE OFFICER COMMANDING VOLUNTEER ARTILLERY.

Sydney, 13 October, 1874.

SIR,

Not having received any reply to my letter of the 30th September last as to my position in the coming election on the 14th inst., relative to the election of Major, *vice* Clarke, resigned, and as the Commandant was pleased on more than one occasion to express in writing the injustice done me by having my commission kept back so long, having undergone my examination for that position over nine (9) months ago,—I now respectfully beg to claim as a matter of right the nominating of myself as a candidate for such vacancy.

I have, &c.,

P. TALBOT,
Commanding No. 2 Battery, V.A.

Will the Commandant kindly direct the course to be followed in this matter.—P.L.C.S., Major, Com. V. A., 14/10/74.

True copy,—W. B. B. CHRISTIE, Capt., Major of Brigade.

No. 44.

CAPTAIN CHRISTIE TO MAJOR SHEPHERD.

Brigade Office,
Sydney, 15 October, 1874.

SIR,

I am directed by the Commandant to acknowledge the receipt of your memo. of 12/10/74, on a letter of Lieut. Talbot's, dated the 30th Sept. last, and to inform you, with reference thereto, that no provision has been made in the Volunteer Regulations for the appointment of Captains other than those exercising command in their respective Corps. I am further instructed to inform you that His Excellency the Governor having placed the nomination to the majority now vacant in the Volunteer Artillery Brigade in the hands of the Captains of that Force,—the Commandant is unable to sanction officers not holding Captain's commissions taking part in such nomination.

The Commandant also considers it unadvisable any further delay should take place in making the nomination.

I have, &c.,

W. B. B. CHRISTIE, Capt.,
Major of Brigade.

True copy,—W. B. B. CHRISTIE, Capt., Major of Brigade.

No. 45.

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No. 45.

CAPTAIN CHRISTIE to MAJOR SHEPHERD.

Brigade Office,
15 October, 1874.

SIR,

I am directed by the Commandant, with reference to letters dated the 30th Sept. last and the 13th instant, from Lt. Talbot, of the Volunteer Artillery Brigade, to acquaint you, for the information of that officer:—

1. That the Commandant is unable to recommend the promotion of Lieutenant Talbot as requested, pending the recommendation of the Officer Commanding the Volunteer Artillery Brigade.

2. That His Excellency the Governor having limited the field for selection of candidates for majorities to those officers who hold Captains' Commissions, the Commandant cannot sanction any such departure from His Excellency's instructions as would be involved by an officer of junior rank being a candidate.

I have, &c.,

W. B. B. CHRISTIE, Capt.,
Major of Brigade.

True copy,—W. B. B. CHRISTIE, Capt., Major of Brigade.

No. 46.

LIEUTENANT TALBOT to MAJOR SHEPHERD.

Wool Stores, Circular Quay,
16 October, 1874.

SIR,

I have the honor to request that no effect may be given to the result of the election of Major which took place yesterday, pending an appeal which I intend making to His Excellency, relative to the grounds on which my application for permission to participate in the same was refused—the extreme peculiarity of my case notwithstanding.

It appears to me very hard that the mere absence of the piece of parchment should preclude me from the privileges of a Captain's rank, for which I was *ordered up*, and passed examination in December, 1873, particularly as the Officer Commanding Volunteer Artillery has made, in my case, the "same favorable mention to Head Quarters," as is usual in such cases (see Major Shepherd's memo, 13/4/74); and the Commandant would appear to approve of my promotion, judging by the following memos of his, 25/10/73 and 28/5/74, which run respectively as follows:—

"The Commandant would be acting unjustly towards the Battery were he to sanction any further delay in filling this vacancy. Lieutenant Talbot must be brought forward for examination without delay."

"Being of opinion that Lieutenant Talbot has cause of complaint, and that the interest of No. 2 Battery has been injuriously affected by the extreme delay in filling up the vacancy of Captain, which vacancy occurred in September, 1871, I consider it my duty to bring the matter under the notice of His Excellency the Governor, &c., &c."

I have, &c.,

P. TALBOT,
Lieutenant No. 2 Battery, V. A.

Forwarded for information and consideration of the Commandant.

P. L. C. S., Major,
Com., V. A.

16/10/74

True copy,—W. B. CHRISTIE, Captain, Major of Brigade.

No. 47.

CAPTAIN CHRISTIE to MAJOR SHEPHERD.

Brigade Office,
Sydney, 19 October, 1874.

SIR,

I am directed by the Commandant to acknowledge the receipt of a letter from Lt. Talbot, No. 2 Battery, dated the 16th instant, relative to the recent nomination to the post of Major in the Volunteer Artillery Brigade, and to acquaint you, for the information of that officer, that the Commandant, seeing no reason to question the nomination of Capt. Wells, intends submitting that officer's name at once to His Excellency the Governor for promotion; any appeal, therefore, to be submitted by Lt. Talbot should be made without delay.

I have, &c.,

W. B. B. CHRISTIE, Capt.,
Major of Brigade.

True copy,—W. B. B. CHRISTIE, Capt., Major of Brigade.

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

VOLUNTEER ARTILLERY.

(APPOINTMENT OF CAPTAIN SPALDING AS ADJUTANT OF.)

Ordered by the Legislative Assembly to be printed, 19 May, 1876.

RETURN to an *Order* of the Legislative Assembly of New South Wales, dated 30th November, 1875, That there be laid upon the Table of this House,—

“Copies of all letters, minutes, documents, or other memoranda connected
“with the appointment of Captain Spalding, of the Permanent
“Artillery, to be Adjutant of the Volunteer Artillery.”

(Mr. Piddington.)

SCHEDULE.

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VOLUNTEER ARTILLERY.

No. 1.

LIEUTENANT SPALDING TO THE COLONIAL SECRETARY.

Sydney, 8 January, 1871.

SIR,

I have the honor to request that you will be pleased to lay this my application before Her Majesty's Colonial Government, and solicit them to grant me a Commission in the "Regular Defence Forces" now being formed. I served in the Royal Marines as Lieutenant, from February, 1862, to April, 1870, previously to which I served as Cadet for nearly two years on board Her Majesty's ship "Excellent." I accompanied the Royal Marine Battalion, from 1863 to 1866, to Japan, where I took part, both by sea and land, in the bombardment and storming of the batteries at Simonosaki, at the entrance of the inland sea.

At Yokohama I had command of half a battery of field guns.

I have passed severe examinations in both fortification and gunnery, and hold a certificate of qualification for the post of Adjutant, in which capacity I have acted. I enclose a copy of the certificate, and

I have, &c.,

WARNER SPALDING,
Lieutenant late Royal Marines.

[Enclosure to foregoing.]

CERTIFICATE OF QUALIFICATION.

THIS is to certify that Lieutenant Warner Wright Spalding, of the Royal Marine Light Infantry, underwent an examination for the appointment of Adjutant, on the 17th day of May, 1867.

He passed the requisite examination to enable him to hold that appointment, and is competent to instruct young officers as well as non-commissioned officers and soldiers, in their various duties.

Given under my hand, at the Royal Marine Office, London, this 16th day of October, 1868,—

J. C. TRAVERS,
Inspector General.

TESTIMONIAL SUBSEQUENTLY RECEIVED FROM LIEUTENANT-GENERAL MAXWELL.

10, Victoria Park, Dover.

I HEREBY certify that Captain (then Lieutenant) Spalding served under my command at the Royal Marine Depot, Walmer, in 1862, and, subsequently, at Woolwich, when I commanded that division of Royal Marine Light Infantry.

I found him a young officer full of zeal for his profession, giving satisfaction to his superiors, and most attentive to his duties, well up in his drill both in the Artillery and Light Infantry branches of the Service—he having passed through a course of the former at the Battery at Woolwich under my personal notice.

I always considered him an officer and gentleman.

Given under my hand, at 10, Victoria Park, Dover, this 10th day of March, 1876.

W. R. MAXWELL,
Lieutenant-General, Royal Marine L.I.

To Captain Spalding, N.S.W.A., &c., &c., &c.,
Since Capt. Warner Spalding, Capt., N.S.W.A., Adj. V.A.B.

No. 2.

CAPTAIN SPALDING TO MAJOR ATREY.

Sydney, New South Wales,
21 July, 1874.

SIR,

I have the honor to request that you will be pleased to forward this my application to the Lt.-Colonel Commandant, and solicit him to recommend me to the proper authorities for the vacant appointment of Brigade-Adjutant and Instructor of Gunnery to the Volunteer Artillery Brigade.

I beg to point out that my duties as an Officer of the Regular Artillery would, I have every reason to believe, not interfere with those of Brigade-Adjutant of Volunteer Artillery, as the latter Force drill on Saturday afternoons, or in the evenings, on which occasions the Regular Artillery seldom drill.

Should I receive this appointment, from my thorough knowledge of Artillery duties, and work in general, I should be able to see that the Volunteer Artillery were faithfully instructed.

I have, &c.,

WARNER SPALDING,
Captain, N.S.W.A.,

[Official

[Official Memoranda in connection with foregoing.]

I could strongly recommend Capt. Spalding for the appointment, but only if he was seconded from the Regular Artillery.—G.A., Major, 21/7/74.

Referred to Major Commanding Vol. Art. Brigade.—J.S.R., Lt.-Col., Comdt., 22/7/74.

I have received several applications for this appointment from members of the Volunteer Artillery, whom I could not very well pass over in favour of an officer of another corps; however, I prefer leaving the appointment vacant until the new Volunteer Bill has been passed, in which (I have reason to believe) the appointment, payment and duties of a Volunteer Artillery Regimental Adjutant to be under my sole control, will be provided for and defined. Meantime I have made such arrangements as will prevent the delay (as a temporary measure) from causing inconvenience or obstruction to the Force.—P.L.C.S., Major Com. V.A., 25/7/74.

Returned for Capt. Spalding's information.—J.S.R., Lt.-Col., Comdt., 27/7/74, B.C.

For Capt. Spalding's information.

CAPT. SPALDING'S application for the Volunteer Artillery Adjutancy having been referred, by the Commandant to Major Shepherd, it has been returned with the following minute having reference to his application:—"I have received several applications for this appointment from members of the Volunteer Artillery, whom I could not very well pass over in favour of an officer of another corps; moreover, I prefer leaving the appointment vacant until the new Volunteer Bill has passed."

28/7/74.

True copy,—WARNER SPALDING, Capt., N.S.W. Arty.

G. A., Major, C. N.S.W.A.

No. 3.

CAPTAIN SPALDING TO MAJOR AIREY.

Sydney, N. S. Wales,
28 July, 1874.

SIR,

In reference to your memo. dated 28th July, 1874, enclosing me a copy of Major Shepherd's minute on my application for the vacant post of Brigade Adjutant to the Volunteer Artillery,—I have the honor to request that you will be pleased to solicit the Lieutenant-Colonel Commandant to forward my original application to the Honorable the Colonial Secretary for his consideration.

I have, &c.,

WARNER SPALDING,
Capt. N. S. W. Artillery.

[Official Memoranda in connection with No. 3.]

Forwarded to Commandant.

THE duties of a Captain in the New South Wales Artillery could not be properly performed were he to hold an appointment in the Volunteer Artillery, and *vice versa*; but should it be in contemplation to appoint a permanent Adjutant at a remunerative salary, as in the Imperial Volunteers, I could strongly recommend Captain Spalding for the appointment, but it would be necessary for him to be seconded from the Royal Artillery.

G.A., Major, 28/7/74.

At present there is no intention of permanently appointing an Adjutant as described by Major Shepherd; Captain Spalding is however at liberty to renew his application when the new Bill is introduced.
To be returned.

J.S.R., Lt.-Col., Comdt., 29/7/74.

A copy of above minute has been furnished for Captain Spalding's information.

G.A., Major, 31/7/74.

No. 4.

CAPTAIN SPALDING TO THE COLONIAL SECRETARY.

Daves' Battery, Sydney, N. S. Wales,
31 May, 1875.

SIR,

I have the honor to apply for the post of Brigade Adjutant to the Volunteer Artillery. From my thorough knowledge of Artillery duties and work in general (should you be pleased to grant my application), I should be in a position to see that the Volunteer Artillery were faithfully instructed.

I beg to point out that my duties as an Officer of the Regular Artillery would not interfere with those of Brigade Adjutant, as the Volunteer Artillery drill in the evenings or on Saturdays—at these times the Regular Artillery seldom parade.

I have, &c.,

WARNER SPALDING,
Capt., N.S.W.A.

[Enclosure

[Enclosure in foregoing.]

VOLUNTEER A. ADJUTANCY.

28 July, 1874.

Date of my first application.

I was informed Government intended to bring in a *new Military Bill*, and that I had better wait *until then*.
No change has been made.

Duties.

Application has not been returned.

The only time my duties as a regular officer *could clash* in any way with Volunteer duties would be when the *Forces parade together*. This is *very seldom*. There would be *no difficulty* in getting an officer to halve the duty on *these special occasions* (perhaps four times a year). *I can at all times attend the gun drill* (the most important for Artillery); they take place of *an evening*.

Similar case.

Sergt.-Major Green, of N.S.W. *Regular Artillery*, is also an Instructor of *drill to, V. Artillery*; he performs his duties to both corps in a *satisfactory manner*, and receives pay for both duties.

No qualified officer to see drills carried out.

At present there is *no officer* in charge of Artillery Instructors, who is in a position to see the drills *properly carried out*.

No. 5.

LT.-COLONEL RICHARDSON TO THE PRINCIPAL UNDER SECRETARY.

Brigade Office,

Sydney, 9 September, 1875.

SIR,

I have the honor to forward herewith, for the consideration of the Honorable the Colonial Secretary, an application for the Adjutancy of the Volunteer Artillery Brigade, submitted by Captain Spalding of the N. S. W. Artillery, together with the remarks of various officers, as noted thereon.

I have, &c.,

JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

[Enclosure in No. 5.]

Captain Spalding to Major Airey.

Dawes' Battery,

6 September, 1875.

Sir,

I have the honor to request that you will be pleased to forward this my second application to the Lieut.-Colonel Commandant, and solicit him to recommend me for the vacant appointment of Adjutant to the Volunteer Artillery Brigade.

I have, &c.,

WARNER SPALDING,
Captain, N.S.W.A.

The Commandant,—Forwarded. I have already reported on this case, and recommend it for your favourable consideration under the same conditions.—G.A., Major, C.N.S.W.A., 7/9/75.

The Officer Commanding N.S.W.A.—The original application with Major Airey's memo. as to conditions was returned to him 29/7/74, and as no specific record has been kept the original application should be forwarded or the conditions again stated for my information.—J.S.R., Lt.-Col., Comdt., 8/9/75, B.C.

Copy of Major Airey's remarks on Captain Spalding's application:—"The duties of Captain in N.S.W.A. could not be properly performed were he to hold an appointment in Vol. Art. Should it be contemplated to appoint a permanent Adjutant at a remunerative salary, I should strongly recommend Captain Spalding."—W.S., Captain, 8/9/75.

Referred to the Officer Commanding Vol. Art. Brigade. I may say that personally I am of opinion this officer's services might be utilized much to the benefit of the Service.—J.S.R., Lt.-Col., Comdt., 8/9/75, B.C.

This document was not in my office yesterday at 3 p.m., and it only reached me at 8.30 this morning. Several of my own officers having applied for this appointment, I must decline making any recommendation in favour of Captain Spalding. It would also appear from Major Airey's memo. that Captain Spalding could not properly perform his duty in the Permanent Artillery if he were to be appointed Adjutant in the Vol. Artillery.—P.L.C.S., Major, Com. V.A., 9/9/75.

No. 6.

MEMORANDA OF PRINCIPAL UNDER SECRETARY AND MINUTES OF COLONIAL SECRETARY.

Colonial Secretary,—Captain Spalding's application and reports just received.

H.H., 4 p.m., 9/9/75.

I may perhaps remind the Colonial Secretary that when, in 1861, Lieutenant Pitt, of the Royal Artillery, was appointed Adjutant of the Volunteer Artillery, with the rank therein of Captain, the Royal Artillery consisted of three officers, and ninety-three non-commissioned officers, and gunners; and that the New South Wales Artillery contains now four officers, and one hundred and one non-commissioned officers and gunners only.

H.H., 9/9/75.

It was brought under notice at the time of the appointment of Captain Spalding to his present position, that he was honorably mentioned in the Army List as having carried the colours at the storming of five forts during his service in Japan.

H.H., 10/9/75.

Cabinet

Cabinet approve. Minute for Governor and Executive Council.—JOHN R., 10/9/75.
 Minute recommending Captain Spalding as Adjutant of Volunteer Artillery.—10. Herewith.—10
 His Excellency,—I understand that the application in this case should have gone through His
 Excellency the Governor. I have had a conversation with His Excellency on the subject, and promised
 to send on the papers.—JOHN R.

No. 7.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Captain Spalding to be Adjutant of the Volunteer Artillery Brigade.

Colonial Secretary's Office,
 Sydney, 10 September, 1875.

I RECOMMEND that a commission be granted to Warner Wright Spalding, Esquire, Captain in the New South
 Wales Artillery, appointing him Adjutant of the Volunteer Artillery Brigade with the rank of Captain.

JOHN ROBERTSON.

Approved.—H.R., 11/9/75.

The Executive Council advise that the appointment herein recommended be approved.—ALEX. C.
 BUDGE, Clerk of the Council.

Min. 75/44, 11/9/75. Confirmed, 17/9/75.

No. 8.

COMMISSION OF CAPTAIN SPALDING.

By His Excellency SIR HERCULES GEORGE ROBERT ROBINSON, Knight Grand Cross of the Most
 Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the
 Colony of New South Wales and its Dependencies, and Vice-Admiral of the same.

To Warner Wright Spalding, Esq., Captain in the New South Wales Artillery.

Know you, that I, Sir Hercules George Robert Robinson, the Governor and Commander-in-Chief
 aforesaid, do, by virtue of the power and authority in me vested by the Act of Parliament passed in the
 thirty-first year of Her present Majesty's reign, and intituled "*An Act to regulate the Volunteer Force,*"
 and with the advice of the Executive Council of the said Colony, hereby appoint you, the said Warner
 Wright Spalding, Esquire, to be Adjutant of the Volunteer Artillery Brigade, with the rank of Captain.

Given under my hand and seal, at Government House, Sydney, in New South Wales aforesaid,
 this eleventh day of September, in the thirty-ninth year of Her Majesty's reign, and in the
 year of our Lord one thousand eight hundred and seventy-five.

HERCULES ROBINSON.

By His Excellency's command,—

JOHN ROBERTSON.

(L.S.)

Entered on record in Register of Patents, No. 10, page 529, this fourteenth day of September, one
 thousand eight hundred and seventy-five.

HENRY HALLORAN,
 For the Colonial Secretary and Registrar of Records.

No. 9.

NOTICE OF CAPTAIN SPALDING'S APPOINTMENT.

Colonial Secretary's Office,
 Sydney, 11 September, 1875.

His Excellency the Governor, with the advice of the Executive Council, has been pleased to appoint
 Warner Wright Spalding, Esquire, Captain in the New South Wales Artillery, to be Adjutant of the
 Volunteer Artillery Brigade, with the rank of Captain.

JOHN ROBERTSON.

No. 10.

THE PRINCIPAL UNDER SECRETARY TO LT.-COLONEL RICHARDSON.

Colonial Secretary's Office,
 Sydney, 16 September, 1875.

SIR,

In reply to your letter of the 9th instant, 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 Warner Wright Spalding, Esquire, Captain in the New South Wales Artillery, to be Adjutant of
 the Volunteer Artillery Brigade, with the rank of Captain, and with salary at the rate of £100 per annum,
 as voted on the Estimates for the current year.

2. The above appointment is to take effect from the 11th of the present month.

I have, &c.,

HENRY HALLORAN.

No. 11.

No. 11.

THE PRINCIPAL UNDER SECRETARY TO THE UNDER SECRETARY FOR FINANCE AND TRADE.

Colonial Secretary's Office,
Sydney, 16 September, 1875.

SIR,

I am directed by the Colonial Secretary to state for the information of the Colonial Treasurer, that His Excellency the Governor, with the advice of the Executive Council, has been pleased to appoint Warner Wright Spalding, Esquire, Captain in the New South Wales Artillery, to be Adjutant of the Volunteer Artillery Brigade, with the rank of Captain, and with salary at the rate of £100 per annum, as voted on the Estimates for the current year.

2. The appointment is to take effect from the 11th instant.

I have, &c.,
HENRY HALLORAN.

No. 12.

LT.-COLONEL RICHARDSON TO HIS EXCELLENCY THE GOVERNOR.

Brigade Office,
Sydney, 21 September, 1875.

YOUR EXCELLENCY,

I have the honor, by desire of Major Shepherd, Commanding Volunteer Artillery Brigade, to forward a letter from him officially protesting against the appointment of Captain Spalding, New South Wales Artillery, as Adjutant of the Volunteer Artillery Brigade; at the same time intimating he will recognize that officer in his official capacity, as he has entered upon his duties.

I have, &c.,

JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

[Enclosure in No. 12.]

Volunteer Artillery Office,
Sydney, 16 September, 1875.

Sir,

I have the honor most respectfully, in reference to the recent appointment of Captain Spalding as Adjutant of the Volunteer Artillery, to protest against such appointment, on the ground that it is in opposition to my views expressed on the subject when referred for my consideration, and also contrary to those of the Officer Commanding the Permanent Artillery, which were to the effect that this appointment would prevent Captain Spalding from properly performing his duties in that corps; also on the ground that such appointment was unnecessary, and interfered with the arrangements of my office, the duties of Adjutant having for upwards of thirteen months been satisfactorily performed by the Subalterns under my command in rotation monthly, by which course opportunity was afforded me of educating those officers in the duties of Adjutant.

Captain Spalding having entered upon his duties, I shall, of course, recognize him in his official capacity.

If you will kindly forward this protest to His Excellency the Governor I shall esteem it a favour.

I have, &c.,

P. L. C. SHEPHERD, Major,
Commandant Volunteer Artillery.

No. 13.

OFFICIAL MEMORANDA RELATING TO No. 12.

Colonial Secretary, for perusal of Cabinet.—H.R., 22/9/75. Seen.—JOHN R.

Major Shepherd's paper, it seems, is a protest against the action of the Governor and Executive Council, in a matter which the law has determined shall be disposed of, as it was, alone, by them. The protest comes from a gentleman whose right to action in the matter is not only not made clear, but whose interference with His Excellency's duties appears to be utterly unwarrantable. It may be, however, that Colonel Richardson, who is a soldier, which I am not, knows of some precedent for a Volunteer Officer interfering with the action of the proper authorities in similar cases in the Mother Country. I had been under the impression that there a Commission of the Queen to any officer could never be protested against by any other officer in Her Majesty's Service. Of this, perhaps Colonel Richardson would inform His Excellency, if asked, and generally as to his (Colonel Richardson's) views with regard to this protest. Should His Excellency desire it, I will call for these or other branches of information from Colonel Richardson.—JOHN R.

His Excellency.

P.S.—I note the condescending intimation of Major Shepherd, that Captain Spalding having entered upon his duties, he shall of course recognize him in his official capacity.

I do not think that there is anything improper, from a military point of view, in Major Shepherd's protest. He commands the Volunteer Artillery, and is responsible for the discipline and efficiency of the Force. A Captain in another corps has been appointed to act as his Adjutant in addition to the duties of his own Company, against the wish of Major Shepherd, and against the opinion of the Captain's own Commanding Officer, who reported that he could not hold the two appointments without neglecting the duties of one. Considering that an Adjutant is, as it were, a Commanding Officer's right hand, and considering that Major Shepherd believes that the one who has been assigned to him cannot properly perform what he requires of him, it is only right that he should relieve himself from the consequences of such an appointment by placing officially on record his protest against it.—H.R., 14/10/75.

1875.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

VOLUNTEER LAND ORDERS.

(NUMBER ISSUED SINCE 29TH SEPTEMBER, 1873.)

Ordered by the Legislative Assembly to be printed, 16 November, 1875.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales; dated 25th May, 1875, That there be laid upon the Table of this House,—

“ A Return showing the number of Land Orders which have been issued since the date of the Return respecting Volunteer Land Orders, ordered by the Legislative Assembly to be printed on the 30th September, 1873, such Return to specify in each case the name and rank of the Volunteer to whom a Land Order has been issued, together with the date upon which such Volunteer’s service commenced, and the date upon which he became entitled to such Order.”

(Mr. Wisdom.)

VOLUNTEER LAND ORDERS.

RETURN showing the number of Volunteer Land Orders issued since the 29th September, 1873, the rank and names of the Volunteers to whom they were issued, the date on which their service commenced, and the dates upon which they became entitled, to the 31st July, 1875.

No. issued.	Rank and Names.	Corps.	Date service commenced.	Date when entitled.
I	Allan James Allan, Private.....	South Sydney	6 July, 1867	24 Dec., 1873
I	Andrews Paul, Private.....	Kiama	Nov., 1868	1 Jan., 1874
I	Arnold Moses, Private.....	"	Nov., 1868	" 1874
I	Adair Samuel, Private	No. 1 Co., Sydney Battalion ..	20 Aug., 1868	" 1874
I	Allen John, Private	No. 6 Co., "	23 Sept., 1868	" 1874
I	Aggar John Ebenezer, Sergeant	No. 3 Battery	23 Oct., 1868	" 1874
I	Austin William Henry, Private	Glebe	Qr. ending Dec., 1868	" 1874
I	Atkins Thomas, Private	Bathurst	5 Oct., 1868	" 1874
I	Atkins Josiah James, Private	"	Qr. ending Sept., 1868	" 1874
I	Anderson Robt. Geddes, Private	No. 1 Co., Sydney Battalion ..	25 Jan., 1869	Mar., 1874
I	Allen John, Ensign	Ulladulla	22 Feb., 1869	" 1874
I	Aspinall George, Private	Parramatta	17 May, 1869	May, 1874
I	Allen Richd. Aldredge, Private	Bathurst	Nov., 1868	1 Jan., 1874
I	Atkinson Frederick, Private	No. 5 Co., Sydney Battalion ..	28 May, 1869	Aug., 1874
I	Allan Jonas Arthur, Private	No. 4 Co., "	13 Dec., 1869	1 Jan., 1875
I	Alfonso Denis, Private.....	Paddington and Surry Hills ..	Qr. ending Sept., 1869	" 1875
I	Alston Alexander, Private	No. 1 Highlanders	15 Feb., 1869	Feb., 1875
I	Arnheim Edward Henry, Lieutenant.....	Engineers	4 Mar., 1870	13 Mar., 1875
I	Beveridge John, Private	No. 1 Highlanders	Qr. ending Sept., 1868	1 Jan., 1874
I	Burnet David, Private	No. 2 "	" " 1868	" 1874
I	Boon William, Private.....	No. 2 "	" " 1868	" 1874
I	Bowie Alexr., Bugler	Kiama	Nov., 1868	" 1874
I	Black John, Major	"	1868	" 1874
I	Beuzeville W. F. E., Corporal	Balmain	Qr. ending Sept., 1868	" 1874
I	Byrnes Henry, Captain	Parramatta	" Dec., 1865	" 1874
I	Bassan A. W. E., Sergeant	No. 4 Battery	8 " 1868	" 1874
I	Brady John, Bombardier	No. 7 "	13 Nov., 1868	" 1874
I	Bone Robert, Sergeant.....	No. 6 Co., Sydney Battalion ..	25 " 1868	" 1874
I	Barnett George, Private	St. Leonards.....	Qr. ending Sept., 1868	" 1874
I	Brown Peter, Private	Bathurst	14 Dec., 1868	" 1874
I	Boardman Samuel, Private	"	Qr. ending Sept., 1868	" 1874
I	Booth Robt. Henry, Sergeant.....	Singleton	" " 1868	" 1874
I	Berney John Henry, Corporal	Bathurst	" " 1868	" 1874
I	Budge John Endrick, Private.....	"	" " 1868	" 1874
I	Brewett Thomas, Gunner	No. 2 Battery	1 Aug., 1868	" 1874
I	Breakwell Henry, Private	Suburban Battalion Band	13 Aug., 1868	" 1874
I	Bourke John Brown, Private	No. 4 Co., Sydney Battalion ..	12 " 1868	" 1874
I	Bowie George, Private.....	No. 4 Co., "	29 Sept., 1868	" 1874
I	Bray Frederick, Private	East Maitland	6 April, 1868	" 1874
I	Blanchfield Thomas, Bugler	Gerringong	Qr. ending Mar., 1869	Mar., 1874
I	Barlow Samuel, Private	Penrith	6 " 1869	" 1874
I	Bicknell John, Sergeant.....	Ulladulla	Qr. ending " 1869	" 1874
I	Bicknell John, senr., Private	"	" " 1869	" 1874
I	Booth William, Private	"	3 April, 1869	April, 1874
I	Blackshaw Henry, Sergeant.....	Goulburn	22 Mar., 1869	" 1874
I	Brown Albert, Private	No. 5 Co., Sydney Battalion ..	Qr. ending Sept., 1863	1 Jan., 1874
I	Bickley John, Private	Goulburn	22 Mar., 1869	May, 1874
I	Boyd John Adair, Corporal	West Maitland.....	17 Dec., 1868	1 Jan., 1874
I	Baxter Robert, Corporal	Ulladulla	Qr. ending Mar., 1869	May, 1874
I	Baddens Alexr., Private	Jamberoo	" June, 1869	June, 1874
I	Baddens William, Sergeant	"	" " 1869	" 1874
I	Braham Edward, Private.....	"	" " 1869	" 1874
I	Bayliss John David, Bugler.....	No. 2 Highlanders	Dec., 1868	1 Jan., 1874
I	Baker Thomas James, Private.....	No. 2 Co., Sydney Battalion ..	28 May, 1869	Aug., 1874
I	Byrne Thomas, Private	Goulburn	" 1869	May, 1874
I	Brignell Joseph, Sergeant	No. 4 Co., Sydney Battalion ..	9 Oct., 1869	Oct., 1874
I	Bourke Edmond Jas., Private.....	Singleton	19 " 1869	18 " 1874
I	Byrom James, Private	No. 6 Co., Sydney Battalion ..	3 June, 1868	1 Jan., 1875
I	Baddens James, Private	Jamberoo	2 " 1869	" 1875
I	Brownlee John, Sergeant	"	8 " 1869	" 1875
I	Beveridge Peter, Private	Hawkesbury	Qr. ending Dec., 1869	7 " 1875
I	Baker Thomas, Private	Richmond.....	12 Aug., 1869	1 " 1875
I	Baker John, Private.....	"	" " 1869	" 1875
I	Bassett James, Private.....	No. 4 Co., Sydney Battalion ..	9 " 1869	" 1875
I	Banks George Arnold, Private	Glebe.....	20 Feb., 1868	" 1875
I	Byrnes Edward, Private	Newcastle	7 Oct., 1869	" 1875
I	Blackwood James, Private	Jamberoo	July, 1869	" 1875
I	Brookes John Charles, Private	Bathurst	6 Aug., 1869	" 1875
I	Baldwin George, Private	Richmond.....	7 Mar., 1870	Mar., 1875
I	Baxter John, Sergeant	No. 2 Co., Sydney Battalion ..	24 April, 1870	April, 1875
I	Caywood John, Private	Parramatta	Mar., 1867	1 Jan., 1873
I	Clough Charles, Corporal.....	No. 6 Co., Sydney Battalion ..	20 June, 1868	" 1874
I	Chambers William, Private.....	Glebe.....	1 Oct., 1868	" 1874
I	Campbell John, Captain	No. 1 Highlanders	Sept., 1868	" 1874
I	Cooke Walter, Corporal	No. 3 Co., Sydney Battalion ..	21 July, 1868	" 1874
I	Campbell J. A. D., Private	No. 2 Co., "	Qr. ending Sept., 1868	" 1874

No. issued.	Rank and Names.	Corps.	Date service commenced.	Date when entitled.
I	Clarke William, Private	Kiama	9 Nov., 1868	1 Jan., 1874
I	Connelly Michael, Private	"	Nov., 1868	" 1874
I	Craig Nicholas, Private	"	" 1868	" 1874
I	Craig Charles Wm., Private	"	" 1868	" 1874
I	Campbell Archibald, Piper	No. 1 Highlanders	13 Dec., 1868	" 1874
I	Crawford John, Bugler	"	18 Dec., 1868	" 1874
I	Cousins Christopher, Private	Kiama	Qr. ending Dec., 1868	" 1874
I	Carroll John, Corporal	No. 7 Battery	7 Dec., 1868	" 1874
I	Cox Hugh Alfred Rankin, Private	No. 3 Co., Sydney Battalion	17 Nov., 1868	" 1874
I	Carroll John, Private	Paddington and Surry Hills	29 May, 1866	" 1874
I	Campbell Alexander, Private	No. 1 Highlanders	13 Dec., 1868	" 1874
I	Castle Henry Edward, Corporal	Paddington and Surry Hills	Qr. ending Mar., 1868	" 1874
I	Clayton Corns. C., Gunner	No. 7 Battery	7 Feb., 1868	" 1874
I	Cassidy James Colour-Sergeant	Bathurst	Qr. ending Sept., 1868	" 1874
I	Connor Thomas, Private	No. 4 Co., Sydney Battalion	3 June, 1868	" 1874
I	Carter John, Private	East Maitland	Qr. ending Dec., 1868	" 1874
I	Carter Thomas, Private	"	" " 1868	" 1874
I	Carter Richard, Private	"	" " 1868	" 1874
I	Curtis Edwin, Lieutenant	Bathurst	" Sept., 1868	" 1874
I	Cambell Wm. Henry, Private	Glebe	22 Feb., 1869	Mar., 1874
I	Campbell Alex., Ensign	Gerringong	Qr. ending Mar., 1869	" 1874
I	Campbell James, Sergeant	"	" " 1869	" 1874
I	Clarke Hugh Savage, Private	Goulburn	22 Mar., 1869	" 1874
I	Cloudy Jacob, Trumpeter	No. 3 Battery	23 Mar., 1869	" 1874
I	Cashman William, Sergeant	Ulladulla	Qr. ending Mar., 1869	" 1874
I	Cork William, Lance-Sergeant	"	" " 1869	" 1874
I	Colgan Joseph, Private	East Maitland	1 Mar., 1869	" 1874
I	Cooper Thos. Henry, Private	Newcastle	26 Feb., 1868	1 Jan., 1874
I	Cork Frederick, Private	Ulladulla	Qr. ending Mar., 1869	Mar., 1874
I	Curzon Richd. Henry, Gunner	No. 6 Battery	18 Feb., 1869	15 May, 1874
I	Chick Henry Thomas, Private	Bathurst	2 Dec., 1868	1 Jan., 1874
I	Cruikshank Henry Ross, Private	Paddington and Surry Hills	7 June, 1869	June, 1874
I	Cross Henry, Private	"	21 June, 1869	" 1874
I	Crawford James, Private	No. 1 Highlanders	7 June, 1869	" 1874
I	Caines George, Private	South Sydney	May, 1869	May, 1874
I	Cousins Charles, Private	Jamberoo	Qr. ending Mar., 1869	June, 1874
I	Crammond John, Corporal	"	" June, 1869	" 1874
I	Coleman Robt. Chas., Private	Bathurst	" July, 1869	July, 1874
I	Cherry John Howard, Corporal	Balmain	1 June, 1869	June, 1874
I	Chisholm Henry John, Captain	No. 2 Highlanders	Aug., 1868	Aug., 1874
I	Cooke George, Sergeant	Singleton	21 Sept., 1869	21 Sept., 1874
I	Chisholm Walter, Private	Goulburn	Qr. ending June, 1869	June, 1874
I	Cleary John, Private	No. 1 Co., Sydney Battalion	22 Mar., 1869	Oct., 1874
I	Curtis John, Private	Jamberoo	July, 1869	5 Jan., 1875
I	Carter James, Private	Richmond	12 Aug., 1869	1 Jan., 1875
I	Crisford James Arthur, Private	"	" 1869	" 1875
I	Champion Wm. Henry, Private	No. 2 Co., Sydney Battalion	27 Sept., 1869	" 1875
I	Connolly Thomas, Private	No. 4 Co., "	25 Oct., 1869	" 1875
I	Cooper Richard Henry, Private	Suburban Battalion Band	6 July, 1869	11 Jan., 1875
I	Cork Robert, Private	Ulladulla	Qr. ending Mar., 1869	Qr. endg. Sept., 1874
I	Cummins John Patrick, Private	No. 4 Co., Sydney Battalion	20 Dec., 1869	1 Jan., 1875
I	Cunningham Nathaniel, Private	Gerringong	2 Sept., 1869	" 1875
I	Currey Edward John, Private	"	Qr. ending June, 1869	" 1875
I	Cork Henry, Private	Ulladulla	18 Jan., 1870	18 Jan., 1875
I	Curtis William, Corporal	Singleton	21 Feb., 1870	21 Feb., 1875
I	Connor Thomas, Private	Goulburn	6 Oct., 1869	1 Jan., 1875
I	Cleary Patrick, Gunner	No. 1 Battery	19 Jan., 1869	" 1875
I	Chapman Samuel Jas., Corporal	No. 5 Co., Sydney Battalion	18 Mar., 1870	Mar., 1875
I	Chapman Abraham, Private	"	" 1870	" 1875
I	Charker William, Corporal	Penrith	June, 1863	1 Jan., 1875
I	Clarke William, Private	No. 1 Co., Sydney Battalion	2 May, 1870	May, 1875
I	Delany Joseph Wm., Corporal	No. 1 Battery	3 June, 1868	1 Jan., 1874
I	Dennis Thomas, Sergeant	No. 2 Highlanders	Qr. ending Sept., 1868	" 1874
I	Doherty James, Private	No. 3 Co., Sydney Battalion	4 Aug., 1868	" 1874
I	Donaldson John, Private	No. 2 Highlanders	Qr. ending Sept., 1868	" 1874
I	Denning John, Private	Kiama	Nov., 1868	" 1874
I	Denning Wm., (No. 1), Private	"	" 1868	" 1874
I	Denning Wm., (No. 2), Private	"	" 1868	" 1874
I	Denning Joseph, Private	"	" 1868	" 1874
I	Darby Anthony, Private	No. 3 Co., Sydney Battalion	5 Aug., 1868	" 1874
I	Drake William, Private	"	23 Nov., 1868	" 1874
I	Dade Robert Henry, Private	"	25 Nov., 1868	" 1874
I	Douglas Alexander, Private	No. 1 Highlanders	15 July, 1868	" 1874
I	Daly John Joseph, Private	Paddington and Surry Hills	1 April, 1868	" 1874
I	Dawson Wm. John, Corporal	Newcastle	27 Feb., 1868	" 1874
I	Dawson Henry, Gunner	No. 3 Battery	3 April, 1868	" 1874
I	Drewett Henry, Private	Bathurst	9 Oct., 1868	" 1874
I	Dyer Samuel Ezra, Private	Hawkesbury	Qr. ending Mar., 1868	" 1874
I	Dowse Alfred John, Private	Bathurst	" Sept., 1868	" 1874
I	Drewett Wm. Charles, Sergeant	"	" 1868	" 1874
I	Dobie Richard, Gunner	No. 3 Battery	23 Nov., 1868	" 1874
I	Dalby James, Corporal	"	23 July, 1867	" 1874
I	Dignam Wm. Jno. Joseph, Ensign	Goulburn	22 Mar., 1869	Mar., 1874
I	Doyle Richard, Gunner	No. 6 Battery	18 Feb., 1869	Mar., 1874
I	Davies Joseph, Corporal	Paddington and Surry Hills	9 April, 1869	April, 1874
I	Duckett William, Gunner	No. 2 Battery	25 Jan., 1869	Mar., 1874
I	Daves Joseph, Corporal	Jamberoo	Qr. ending June, 1869	June, 1874
I	Dymock David Lindsay, Captain	"	" " 1869	" 1874

No. issued.	Rank and Names.	Corps.	Date service commenced.	Date when entitled.
I	Davis John, Corporal	Jamberoo	May, 1869	May, 1874
I	Daly Charles, Gunner	Artillery Band	14 June, 1869	June, 1874
I	Daly R. M. F., Private, Brigade Band	Brigade Band	17 April, 1868	1 Jan., 1875
I	Dale John, Corporal	No. 6 Co., Sydney Battalion	7 Jan., 1870	Jan., 1875
I	Dyason Robt., Private	No. 5 Co., "	3 Aug., 1868	1 Jan., 1875
I	Douglass George, Private	Suburban Battalion Band	Nov., 1869	" 1875
I	Dennett John, Private	No. 4 Co., Sydney Battalion	15 Nov., 1869	" 1875
I	Dwyer Timothy, Private	No. 7 Co., "	13 Aug., 1866	" 1875
I	Dickson Thos. James, Private	No. 1 Co., "	21 Feb., 1870	Feb., 1875
I	Dent Alfred Charles, Gunner	No. 6 Battery	7 April, 1870	April, 1875
I	Devine John, Private	South Sydney	1 Oct., 1868	Mar., 1875
I	Dennett Young, Private	"	8 April, 1870	April, 1875
I	Douglas Herbert, Sergeant	No. 2 Co., Sydney Battalion	2 May, 1870	May, 1875
I	Elliott Thomas, Private	No. 2 Highlanders	Qr. ending Sept., 1868	1 Jan., 1874
I	Ellis George Thos., Private	Paddington and Surry Hills	17 April, 1868	" 1874
I	Easton Henry, Gunner	No. 2 Battery	1 Oct., 1868	" 1874
I	Elliott Hugh, Private	East Maitland	Qr. ending Dec., 1868	" 1874
I	Eckford Henry, Private	"	8 June, 1868	" 1874
I	Edge Andrew, Private	Bathurst	Qr. ending Sept., 1868	" 1874
I	Edge Benjamin, Private	"	" 1868	" 1874
I	Everson John James, Private	No. 3 Co., Sydney Battalion	3 July, 1868	" 1874
I	Edney Joseph Armstrong, Private	South Sydney	17 Aug., 1869	Aug., 1874
I	Elphinstone Gourlay Belfour, Private	Glebe	9 Oct., 1869	1 Jan., 1875
I	Ellis Horace Payne, Private	No. 2 Co., Sydney Battalion	22 July, 1868	21 Jan., 1875
I	Edmonds Chas. Lee, Private	Paddington and Surry Hills	14 Feb., 1870	Feb., 1875
I	Earnshaw Robt., Gunner	No. 6 Battery	21 April, 1870	April, 1875
I	Farquharson Robt., Private	No. 2 Highlanders	Qr. ending Sept., 1868	1 Jan., 1874
I	Flaherty Francis, Private	No. 3 Co., Sydney Battalion	21 July, 1868	" 1874
I	Fraser Alex., Ensign	No. 1 Highlanders	30 July, 1868	" 1874
I	Fraser John, Private	No. 2 "	Qr. ending Sept., 1868	" 1874
I	Faulks James, Private	Kiama	Nov., 1868	" 1874
I	Freeman Fredk. Wm., Private	No. 3 Co., Sydney Battalion	Qr. ending Sept., 1868	" 1874
I	Fisher William, Private	No. 1 Highlanders	5 Nov., 1868	" 1874
I	Fraser Donald, Ensign	No. 2 "	Qr. ending Sept., 1868	" 1874
I	Fleming John, Private	No. 6 Co., Sydney Battalion	2 Oct., 1868	" 1874
I	Furness William, Gunner	No. 2 Battery	3 Feb., 1868	" 1874
I	Fennelly Edward, Private	No. 2 Co., Sydney Battalion	Qr. ending Sept., 1868	" 1874
I	Furness Peter, Private	Bathurst	" 1868	" 1874
I	Forrest Wm. Joseph, Private	East Maitland	" 20 Nov., 1868	" 1874
I	Fowler John, Corporal	Ulladulla	Qr. ending Mar., 1869	Mar., 1874
I	Fitch Thos. Henry, Private	"	" 1869	" 1874
I	Francis James, Private	"	" 1869	" 1874
I	Fuller Chas. Sydney, Private	Goulburn	22 Mar., 1869	" 1874
I	Freeman Henry, Trumpeter	No. 5 Battery	29 April, 1869	2 May, 1874
I	Fitzgibbon Pat. Joseph, Corporal	Goulburn	22 Mar., 1869	July, 1874
I	Ford James, Corporal	Paddington and Surry Hills	15 July, 1869	" 1874
I	Frey Jean, Private	No. 3 Co., Sydney Battalion	9 May, 1869	1 Jan., 1874
I	Fidden Joseph, Gunner	Artillery Band	15 Oct., 1868	Oct., 1874
I	Fisher Henry Thos., Private	Paddington and Surry Hills	" 1869	1 Jan., 1875
I	Gowing Preston Robt., Sergeant	"	22 July, 1868	" 1874
I	Giffin Colin, Private	No. 2 Highlanders	Qr. ending Sept., 1868	" 1874
I	Gray John, Private	Kiama	" Nov., 1868	" 1874
I	Glover George, Private	No. 2 Highlanders	" Sept., 1868	" 1874
I	Grimes Thomas, Gunner	No. 7 Battery	1 Jan., 1869	" 1874
I	Gibbs Patrick, Private	Balmain	6 Feb., 1868	" 1874
I	Gordon Robert, Private	No. 1 Highlanders	23 Nov., 1868	" 1874
I	Goddard Alfred, Private	Parramatta	Qr. ending Dec., 1868	" 1874
I	Gore Aug. James, Qr.-Mr.-Sergeant	Bathurst	" Sept., 1868	" 1874
I	Gwymer George, Corporal	Gerringong	" Mar., 1869	Mar., 1874
I	Gledhill Isaac, Gunner	No. 7 Battery	" 1869	" 1874
I	Glover William, Lance-Sergeant	Singleton	Jan., 1869	1 Jan., 1874
I	Gibb William Thos., Gunner	No. 3 Battery	21 Jan., 1869	Mar., 1874
I	Garrad William, Private	Ulladulla	Qr. ending Mar., 1869	" 1874
I	Garrad Samuel, Private	"	" 1869	" 1874
I	Grogan James, Private	West Maitland	" 14 Feb., 1868	1 Jan., 1874
I	Geering Henry, Private	East Maitland	Qr. ending Dec., 1868	" 1874
I	Glennie Henry, Hon. Assistant Surgeon	Singleton	" Sept., 1868	24 June, 1874
I	Goddard Henry, Corporal	Paddington and Surry Hills	" 1 July, 1869	July, 1874
I	Gibson James, Qr.-Mr.-Sergeant	Jamberoo	Qr. ending June, 1869	June, 1874
I	Graham Charles, Private	"	" 1869	" 1874
I	Guest Chas. Septimus, Colour-Sergeant	Richmond	" 14 Aug., 1869	Aug., 1874
I	Green Peter, Private	Paddington and Surry Hills	14 June, 1869	June, 1874
I	Gillespie Edward, Private	Goulburn	May, 1869	2 Dec., 1874
I	Graham David, Private	Jamberoo	27 May, 1869	1 Jan., 1875
I	Graham William, Private	"	July, 1869	5 " 1875
I	Geoghegan Lawrence, Private	Kiama	18 Aug., 1869	1 " 1875
I	Grimley Peter, Private	Orange	Qr. ending Dec., 1869	3 Feb., 1875
I	Griffiths Wm., Gunner	No. 2 Battery	28 Sept., 1865	1 Jan., 1875
I	Grimwood Arthur, Private	Bathurst	18 Jan., 1870	18 " 1875
I	Gall Hindley Herbert, Private	No. 1 Co., Sydney Battalion	28 Feb., 1870	Feb., 1875
I	Harley Oswald, Private	No. 2 Highlanders	Qr. ending Sept., 1868	1 Jan., 1874
I	Hutton George, Private	No. 1 "	" 1868	" 1874
I	Harkness John, Colour-Sergeant	No. 2 "	" 1868	" 1874
I	Holden Thomas, Private	Kiama	" Nov., 1868	" 1874
I	Honey Thomas, Ensign	"	" 1868	" 1874
I	Honey Henry, Sergeant	"	" 1868	" 1874
I	Hunter John, Private	No. 2 Highlanders	Qr. ending Sept., 1868	" 1874
I	Hawkins Peter, Private	No. 1 Co., Sydney Battalion	" 1868	" 1874

No. issued.	Rank and Names.	Corps.	Date service commenced.	Date when entitled.
1	Halliday William, Gunner	No. 6 Battery	13 Aug., 1868	1 Jan., 1874
1	Hardie Robert William, Private	No. 3 Co., Sydney Battalion	11 May, 1868	" 1874
1	Haigh William, Private	No. 6 Co., "	14 Dec., 1868	" 1874
1	Hurley Edward, Private	" "	1 Oct., 1868	" 1874
1	Hooper Charles, Sergeant	Bathurst	14 Nov., 1868	" 1874
1	Hill John Edward, Private	"	Qr. ending Sept., 1868	" 1874
1	Hawthorne Benjamin, L.-Corporal	Singleton	" " 1868	" 1874
1	Hart Hugh, Private	Hawkesbury	16 Oct., 1868	" 1874
1	Hansard N. W. A., Private	Bathurst	17 Nov., 1868	" 1874
1	Hamilton George, Private	No. 1 Highlanders	Qr. ending Dec., 1868	" 1874
1	Hulks George, Sergeant	Bathurst	" Sept., 1868	" 1874
1	Hodgson Isaac Barker, Gunner	No. 5 Battery	1 " 1868	" 1874
1	Hynds James, Private	Newcastle	14 April, 1868	" 1874
1	Helmrich Charles, Sergeant	No. 1 Highlanders	18 Feb., 1869	Feb., 1874
1	Helmrich Alexander, Private	"	1 " 1869	" 1874
1	Hodges John, Gunner	No. 6 Battery	25 Mar., 1869	Mar., 1874
1	Hines William Alexander, Q.-master-sergt.	Gerringong	Qr. ending Mar., 1869	" 1874
1	Hetherington George, Private	"	" " 1869	" 1874
1	Herriott Henry, Sergeant	Goulburn	22 Mar., 1869	" 1874
1	Holt Christopher, Private	"	22 " 1869	" 1874
1	Houston Robert, Private	East Maitland	1 " 1869	" 1874
1	Hession Thomas, Color-sergeant	Ulladulla	Qr. ending " 1869	" 1874
1	Hall Frederick, Private	"	" " 1869	" 1874
1	Haman John, Private	"	" " 1869	" 1874
1	Hobbs Thomas, Private	"	" " 1869	" 1874
1	Hopgood George, Private	"	" " 1869	" 1874
1	Hopgood Thomas, Private	"	5 April, 1869	April, 1874
1	Hughes Edward, Private	"	Qr. ending Mar., 1869	Mar., 1874
1	Hollis John William, Corporal	Goulburn	22 " 1869	" 1874
1	Heney John Nethery, Private	Kiama	Qr. ending " 1869	" 1874
1	Hughes David, Private	Newcastle	" " 1869	May, 1874
1	Hill George, Private	Paddington and Surry Hills	10 June, 1869	June, 1874
1	Heaney Martin, Private	No. 4 Co., Sydney Battalion	20 May, 1869	May, 1874
1	Hutchinson James, Gunner	No. 3 Battery	2 July, 1869	July, 1874
1	Hanna George Wilson, Private	Paddington and Surry Hills	12 April, 1869	April, 1874
1	Holborow William Hillier, Major	Richmond	12 Aug., 1869	Aug., 1874
1	Hawthorn William John, Private	Singleton	29 Nov., 1869	1 Jan., 1875
1	Hewitt Edwin Frederick, Private	South Sydney	20 Aug., 1869	" 1875
1	Huxley David, Private	Richmond	27 " 1869	" 1875
1	Hardy Charles, Private	No. 4 Co., Sydney Battalion	2 July, 1869	" 1875
1	Herlihy Daniel, Private	"	7 " 1869	" 1875
1	Humby Arthur, Private	West Maitland	21 June, 1869	20 June, 1874
1	Herbert William Seward, Private	Paddington and Surry Hills	10 Feb., 1870	Feb., 1875
1	Hickson John Charles, Private	No. 3 Co., Sydney Battalion	20 " 1870	Mar., 1875
1	Hooker David, Private	Singleton	21 " 1870	21 Feb., 1875
1	Harrison William Samuel, Corporal	West Maitland	1 Mar., 1870	Mar., 1875
1	Hatfield James, Corporal	No. 6 Co., Sydney Battalion	11 April, 1870	April, 1875
1	Jeffrey Henry, Private	Glebe	1 Oct., 1868	1 Jan., 1874
1	Jamieson James, Private	No. 2 Highlanders	Qr. ending Sept. 1868	" 1874
1	Joyner Robert, Private	No. 3 Co., Sydney Battalion	16 " 1868	" 1874
1	Johnston John, Private	No. 2 Highlanders	Qr. ending " 1868	" 1874
1	Jackson Jefferson, Private	No. 1 Co., Sydney Battalion	10 Jan., 1861	" 1874
1	Johnston George Henry, Private	No. 3 Co., "	1 April, 1868	" 1874
1	Jeffries Archibald Joseph, Private	Bathurst	Qr. ending Sept., 1868	" 1874
1	Johnston James (1), Private	Gerringong	" Mar., 1869	Mar., 1874
1	Johnston Robert, Private	"	" " 1869	" 1874
1	Jordan Charles, Corporal	"	" " 1869	" 1874
1	Jones William, Sergeant	Ulladulla	" " 1869	" 1874
1	Johnston Henry Charles, Color-sergeant	Jamberoo	May, 1869	May, 1874
1	Jones William, Sergeant	Hawkesbury	April, 1868	1 Jan., 1875
1	Johnston Leslie, Private	No. 2 Highlanders	Qr. ending Sept., 1868	" 1875
1	Johnson Cornelius James, Private	Bathurst	" " 1869	" 1875
1	Jarman Richard Henry, Private	Singleton	24 Feb., 1870	24 Feb., 1875
1	Jones Richard, Private	Ulladulla	5 " 1870	5 " 1875
1	James Thomas, Bugler	No. 3 Co., Sydney Battalion	28 Mar., 1870	Mar., 1875
1	Jervis James Henry, Gunner	No. 6 Battery	7 April, 1870	April, 1875
1	King John, Lieutenant	Kiama	Nov., 1868	1 Jan., 1874
1	Keane John, Private	No. 3 Co., Sydney Battalion	27 Oct., 1868	" 1874
1	King Dixon, Color-sergeant	Kiama	Qr. ending Sept., 1868	" 1874
1	King Robert, Private	"	" " 1868	" 1874
1	King Isaac, Private	"	" " 1868	" 1874
1	Kerr William Henry, Corporal	Suburban Battalion Band	13 Aug., 1868	" 1874
1	Knight John Frederick, Gunner	No. 6 Battery	4 May, 1868	" 1874
1	Kennedy William, Gunner	"	5 Nov., 1868	" 1874
1	King William Milton, Private	No. 2 Co., Sydney Battalion	28 Aug., 1868	" 1874
1	Kirkaldy James, Lieutenant	No. 3 Battery	23 Nov., 1868	" 1874
1	Kilduff Thomas, Gunner	No. 5 "	12 Jan., 1869	Mar., 1874
1	Kean Patrick, Private	No. 3 Co., Sydney Battalion	25 " 1869	" 1874
1	Keir William, Private	Ulladulla	Qr. ending Mar., 1869	" 1874
1	Kennedy Donald, Private	"	" " 1869	" 1874
1	Knapp Stephen, Private	"	" " 1869	" 1874
1	Kovin Edward, Private	Jamberoo	" June, 1869	June, 1874
1	Kirby Samuel, Gunner	No. 2 Battery	31 May, 1869	Sept., 1874
1	Kennedy John, Gunner	No. 6 "	30 Sept., 1869	" 1874
1	King Moses, Private	Jamberoo	28 May, 1869	1 Jan., 1875
1	Kelly William John, Private	Richmond	13 Aug., 1869	" 1875
1	Kelly John, Private	No. 5 Co., Sydney Battalion	21 Jan., 1870	21 " 1875
1	Lillie George, Corporal	No. 2 Highlanders	Qr. ending Sept., 1868	1 " 1874

No. issued.	Rank and Names.	Corps.	Date service commenced.	Date when entitled.
I	Lutton John, Private	No. 1 Highlanders	Qr. ending Sept., 1868	1 Jan., 1874
I	Leggatt Cornelius, Corporal	Kiama	Nov., 1868	" 1874
I	Lorimer Patrick, Sergeant	No. 1 Highlanders	Qr. ending Sept., 1868	" 1874
I	Langdon Luke, Private	Kiama	" " 1868	" 1874
I	Lorking Sydney Robt., Private	No. 5 Co., Sydney Battalion	1 Oct., 1868	" 1874
I	Lesslie William Chas., Private	No. 3 Co., "	24 Nov., 1868	" 1874
I	Loder Thomas, Captain	Singleton	4 Dec., 1868	" 1874
I	Loder Thomas, Quartermaster-sergeant.	"	24 Dec., 1868	" 1874
I	Lowe Alfred, Private	No. 6 Co., Sydney Battalion	8 June, 1868	" 1874
I	Law John James, Sergeant	"	3 Aug., 1868	" 1874
I	Lowe William, Bugler	Singleton	7 Dec., 1868	" 1874
I	Long Benjamin, Private	East Maitland	Qr. ending Sept., 1868	" 1874
I	Lucas Chas., Bombardier	No. 6 Battery	9 April, 1869	April, 1874
I	Linton William, Private	No. 2 Highlanders	31 July, 1868	July, 1874
I	Lamont George, junr., Private	No. 4 Co., Sydney Battalion	15 Nov., 1869	1 Jan., 1875
I	Lawson Albert, Gunner	No. 5 Battery	24 Sept., 1869	" 1875
I	Lees William, Private	No. 1 Co., Sydney Battalion	10 Jan., 1870	15 " 1875
I	Lorking George Wm., Private	"	29 Nov., 1869	1 " 1875
I	Lees Thomas Nelson, Private	No. 2 Co., "	Qr. ending June, 1863	" 1875
I	Lewis Henry Francis, Private	Paddington and Surry Hills	28 May, 1869	" 1875
I	Lever Francis, Gunner	No. 1 Battery	27 " 1869	" 1875
I	Lewis William, Private	No. 3 Co., Sydney Battalion	Sept., 1868	Feb., 1875
I	Light John, Corporal	No. 1 Co., "	1 Mar., 1870	Mar., 1875
I	Lumsdaine Edwin B. Fred., Corporal	No. 2 Co., "	10 Feb., 1870	Feb., 1875
I	Levers Henry, Private	Richmond	16 Mar., 1870	Mar., 1875
I	Lewin Charles Jas., Private	No. 3 Co., Sydney Battalion	20 April, 1870	April, 1875
I	Macfarlane Joseph, Private	Glebe	1 Oct., 1868	1 Jan., 1874
I	Miller John, Private	No. 2 Highlanders	Qr. ending Sept., 1868	" 1874
I	Malloch Alexr., Private	No. 1 "	10 Dec., 1868	" 1874
I	Miller George, Private	Kiama	Nov., 1868	" 1874
I	Mison Rubron, Private	"	" 1868	" 1874
I	Mison Ephraim, Sergeant	"	" 1868	" 1874
I	Morrison Malcolm, Private	No. 3 Co., Sydney Battalion	8 Oct., 1868	" 1874
I	Mather Thomas, Private	Parramatta	23 April, 1868	" 1874
I	Mills Robert, Private	Brigade Band	Oct., 1866	" 1874
I	Mathews Wm. Henry, Private	No. 3 Co., Sydney Battalion	31 Aug., 1868	" 1874
I	Moore James, Private	South Sydney	1 Oct., 1868	" 1874
I	Menser Morris, Private	No. 5 Co., Sydney Battalion	15 July, 1868	" 1874
I	Moore George, Private	Kiama	Nov., 1868	" 1874
I	Moxham William, Private	Parramatta	1862	" 1874
I	Mealey Geo. Albert, Private	No. 3 Co., Sydney Battalion	5 Aug., 1868	" 1874
I	Murray George, Private	No. 2 Highlanders	23 Dec., 1868	" 1874
I	Morris William, Private	"	3 Feb., 1869	Mar., 1874
I	Morris James, Private	Goulburn	22 Mar., 1869	" 1874
I	Morrow Johnston, Private	Gerringong	Qr. ending Mar., 1869	" 1874
I	Millard William, Lieutenant	Ulladulla	22 Feb., 1869	Feb., 1874
I	Moore John, Corporal	"	Qr. ending Mar., 1869	Mar., 1874
I	Moore Henry, Private	"	" " 1869	16 April, 1874
I	Murray Philip, Private	"	" " 1869	" 1874
I	May Edward, Trumpeter	No. 4 Battery	23 Feb., 1869	Mar., 1874
I	Madden John, Private	East Maitland	Qr. ending Dec., 1868	1 Jan., 1874
I	Morris James, Private	No. 1 Highlanders	13 May, 1869	May, 1874
I	Moore John, Private	Paddington and Surry Hills	14 June, 1869	June, 1874
I	Millard Richard, Private	Ulladulla	Qr. ending Mar., 1869	" 1874
I	Monk Thomas, Corporal	Jamberoo	" June, 1869	" 1874
I	Mawson Benjamin, Private	Goulburn	21 July, 1869	21 July, 1874
I	Monkley Henry Bagent, Private	"	24 April, 1869	30 " 1874
I	Millard Henry, Private	Ulladulla	22 Feb., 1869	Mar., 1874
I	Minister George, Bugler	Glebe	4 June, 1869	June, 1874
I	Millett Wm. Charles, Bugler	"	3 Sept., 1868	Sept., 1874
I	Morgan Cosby Wm., Surgeon	Western Battalion	9 April, 1869	April, 1874
I	Mack Peter, Corporal	No. 6 Co., Sydney Battalion	30 Nov., 1869	1 Jan., 1875
I	Martin Robt., Private	Richmond	Aug., 1869	" 1875
I	Morris Charles, Private	"	" 1869	" 1875
I	Mitchell William, Corporal	"	" 1869	" 1875
I	Myers Richard, Private	"	" 1869	" 1875
I	Murray Stephen Jas., Private	No. 6 Co., Sydney Battalion	5 Mar., 1868	" 1875
I	Monckton Fred. Odell, Sergeant	"	3 Sept., 1869	" 1875
I	Maulle Charles, Private	No. 2 Highlanders	16 Sept., 1868	" 1875
I	Miles David, Private	Glebe	25 Feb., 1868	" 1875
I	Millard George, Private	No. 4 Co., Sydney Battalion	25 Oct., 1869	" 1875
I	Morgan Wm. George, Private	No. 1 Co., "	22 Feb., 1869	" 1875
I	Marr James Clanan, Private	Paddington and Surry Hills	17 Jan., 1870	17 " 1875
I	Myhill George, Private	St. Leonards	Qr. ending Dec., 1866	1 " 1875
I	Matthews Wm. Hall, Private	Ulladulla	4 Dec., 1869	" 1875
I	Morelli James, Bombardier	No. 6 Battery	10 Feb., 1870	Feb., 1875
I	Marsden Charles Mason, Corporal	Penrith	Qr. ending June, 1866	1 Jan., 1875
I	Maish William, Private	Bathurst	4 Feb., 1869	" 1875
I	Mason Azer, Private	No. 5 Co., Sydney Battalion	1 Mar., 1870	Mar., 1875
I	Magovney Thomas, Private	No. 2 Co., "	11 June, 1869	1 Jan., 1875
I	Martin James, Private	No. 1 Co., "	1 April, 1870	April, 1875
I	Moulder Geo. Albert, Private	South Sydney	7 " 1870	" 1875
I	M'Kay Finlay, Private	No. 2 Highlanders	4 Dec., 1868	1 Jan., 1874
I	M'Gregor William, Private	"	Qr. ending Dec., 1868	" 1874
I	M'Leod Alexr., Sergeant	"	" Sept., 1868	" 1874
I	M'Cready Andrew, Private	"	" " 1868	" 1874
I	M'Dermott Jas. Jos., Private	No. 3 Co., Sydney Battalion	1 Oct., 1868	" 1874
I	M'Mah William, Private	Paddington and Surry Hills	Qr. ending June, 1868	" 1874

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I	M'Donnell John, Private	South Sydney	Qr. ending Dec., 1868	1 Jan., 1874
I	M'Donald Angus Ferguson, Private	No. 2 Highlanders	" Sept., 1868	" 1874
I	M'Caffrey Thomas, Private	Kiama	" Nov., 1868	" 1874
I	M'Minn Douglas Stewart, Qr.-Mr.-Sergt.	No. 2 Highlanders	Qr. ending Sept., 1868	" 1874
I	M'Donald Alexr., Corporal	No. 1 "	" " 1868	" 1874
I	M'Minn Arthur Bruce, Private	No. 2 "	" " 1868	" 1874
I	M'Gregor Thomas, Lieutenant	No. 1 "	" " 1868	" 1874
I	M'Intosh Thos., Private	" "	" " 1868	" 1874
I	M'Laren Alexr., Private	No. 2 "	" Dec., 1868	" 1874
I	M'Donald Joseph, Corporal	East Maitland	" " 1868	" 1874
I	M'Kell Thos. Chas. Kerr, Corporal	Bathurst	Qr. ending Sept., 1868	" 1874
I	M'Dougal Geo. Halkerston, Private	" "	" " 1868	" 1874
I	M'Caffrey Charles, Private	Kiama	" Nov., 1868	" 1874
I	M'Innes Donald, Private	East Maitland	Qr. ending Dec., 1868	" 1874
I	M'Lean John, Private	Gerrington	" Mar., 1869	1 Mar., 1874
I	M'Lean Charles, Private	Ulladulla	" " 1869	" 1874
I	M'Lean John, Private	No. 3 Co., Sydney Battalion	12 June, 1869	June, 1874
I	M'Kenzie Edwd., Private	Jamberoo	Qr. ending June, 1869	" 1874
I	M'Mahon Michael, Gunner	Artillery Band	Oct., 1861	Aug., 1874
I	M'Gee Thomas, Private	Ulladulla	Qr. ending Mar., 1869	Qr. endg. Mar., 1874
I	M'Donald James, Private	No. 1 Highlanders	26 Feb., 1869	Mar., 1874
I	M'Kenzie Henry, Private	Jamberoo	21 June, 1869	1 Jan., 1875
I	M'Kenzie John Hogarth, Private	No. 2 Co., Sydney Battalion	27 Sept., 1869	" 1875
I	M'Kinlay Henry, Gunner	No. 4 Battery	23 Oct., 1865	" 1875
I	M'Callum Dugald, Colour-sergeant	Singleton	Nov., 1868	" 1875
I	M'Leod George, Private	West Maitland	7 Sept., 1869	" 1875
I	Neillings William, Private	No. 3 Co., Sydney Battalion	10 Nov., 1868	" 1874
I	Nevin Robert, Private	No. 2 Highlanders	Qr. ending Sept., 1868	" 1874
I	Newland John, Private	No. 6 Co., Sydney Battalion	6 July, 1868	" 1874
I	Nicoll George, Sergeant	No. 4 Battery	8 Dec., 1868	" 1874
I	Naylor James, Private	Bathurst	Qr. ending Sept., 1868	" 1874
I	Newton Daniel, Private	East Maitland	" Dec., 1868	" 1874
I	Newland Philip Jas., Private	No. 6 Co., Sydney Battalion	4 May, 1868	" 1874
I	Nunn Philip Joseph, Bugler	No. 4 Co., "	April, 1869	April, 1874
I	Nicholson James, Private	" "	8 Sept., 1865	1 Jan., 1874
I	Newton Joseph, Private	Ulladulla	22 Feb., 1869	21 Feb., 1874
I	Newman Thomas Sparke, Private	No. 5 Co., Sydney Battalion	3 June, 1869	1 Jan., 1875
I	Nichols James, Private	Singleton	18 Nov., 1868	" 1875
I	Nathan Robert Allwood, Lieutenant	No. 9 Battery	9 Dec., 1869	" 1875
I	Norman Hart, Gunner	No. 3 "	5 April, 1870	April, 1875
I	O'Brien Denis Thos., Private	Bathurst	Qr. ending Sept., 1868	1 Jan., 1874
I	Orr Andrew Hannis, Bombardier	No. 6 Battery	21 May, 1866	" 1874
I	O'Brien John Thomas, Gunner	No. 5 "	12 Jan., 1869	Mar., 1874
I	O'Keefe David, Private	East Maitland	Mar., 1869	" 1874
I	Organ Albert, Quarter-master Sergeant	Ulladulla	Qr. ending Mar., 1869	" 1874
I	O'Brien Thomas, Private	Goulburn	22 Mar., 1869	" 1874
I	O'Hearn Thomas, Private	West Maitland	12 Dec., 1868	1 Jan., 1874
I	O'Meara Michael, Private	Jamberoo	16 April, 1869	" 1875
I	O'Keefe Michael, Private	No. 5 Co., Sydney Battalion	29 Nov., 1869	" 1875
I	O'Brien William, Corporal	Singleton	9 July, 1868	15 April, 1875
I	O'Brien Danl. Benedict Aug., Private	Bathurst	16 Aug., 1869	1 Jan., 1875
I	Pike Henry, Private	Kiama	Nov., 1868	" 1874
I	Pickeman Henry, Private	" "	" 1868	" 1874
I	Pickeman Robert, Corporal	" "	" 1868	" 1874
I	Prentice Wm. Alex. M'Claren, Private	No. 1 Highlanders	7 Aug., 1868	" 1874
I	Pepper William Arnold, Private	Paddington and Surry Hills	3 Sept., 1868	" 1874
I	Parsons John, Corporal	Parramatta	April, 1868	" 1874
I	Ponsonby Lawrence Wm., Private	No. 2 Co., Sydney Battalion	6 Nov., 1868	" 1874
I	Porter John, Private	No. 6 Co., "	27 July, 1868	" 1874
I	Patterson Tarsus, Private	" "	Qr. ending Dec., 1868	" 1874
I	Price Thomas, Private	Parramatta	June, 1868	" 1874
I	Pugh John, Gunner	No. 2 Battery	1 Oct., 1868	" 1874
I	Powys John, Private	No. 5 Co., Sydney Battalion	June, 1866	" 1874
I	Paul Alfred, Captain	Bathurst	Qr. ending Sept., 1868	" 1874
I	Phillips Alexr., Private	East Maitland	" Dec., 1868	" 1874
I	Pattimore John Robt., Private	Ulladulla	" Mar., 1869	Mar., 1874
I	Peard Henry Joseph, Private	Goulburn	" Mar., 1869	" 1874
I	Potter Daniel, Private	Newcastle	22 Mar., 1869	" 1874
I	Phypers John, Gunner	Newcastle	3 Feb., 1869	3 Feb., 1874
I	Phypers John, Gunner	Artillery Band	20 May, 1869	May, 1874
I	Purcell Pierce, Private	No. 3 Co., Sydney Battalion	2 Aug., 1869	Aug., 1874
I	Primrose John, Private	Hawkesbury	Qr. ending Mar., 1868	1 Jan., 1875
I	Pratt William, Private	South Sydney	15 Aug., 1869	" 1875
I	Pearson James, Gunner	Artillery Band	10 Nov., 1868	" 1875
I	Pender George, Private	Ulladulla	Qr. ending Mar., 1869	" 1875
I	Popp Charles, Private	Richmond	22 Nov., 1869	" 1875
I	Pearce John, Gunner	No. 1 Battery	14 April, 1870	April, 1875
I	Pike Samuel Jno., Private	Bathurst	1 April, 1870	" 1875
I	Quantock William, Corporal	South Sydney	7 " 1870	" 1875
I	Read William, Gunner	No. 2 Battery	27 June, 1868	1 Jan., 1874
I	Rigg William, Private	No. 1 Highlanders	Qr. ending Sept., 1868	" 1874
I	Riddle Robert, Corporal	" "	" " 1868	" 1874
I	Read Thomas, Corporal	No. 2 Co., Sydney Battalion	" 14 Nov., 1868	" 1874
I	Robertson Jno. Fras., Private	Kiama	Nov., 1868	" 1874
I	Robertson John, Private	" "	" 1868	" 1874
I	Roberts Thos. Barber, Private	" "	" 1868	" 1874
I	Renwick Edward, Private	No. 2 Highlanders	Qr. ending Sept., 1868	" 1874
I	Rudd George Herbert, Private	No. 3 Co., Sydney Battalion	2 July, 1868	" 1874
I	Rowe Cornelius Henry, Private	South Sydney	1 Oct., 1868	" 1874

No. issued.	Rank and Names.	Corps.	Date service commenced.	Date when entitled.
I	Roulstone Joseph, Private	Parramatta	Qr. ending June, 1868	1 Jan., 1874
I	Ritchie William, Private	"	Oct., 1868	" 1874
I	Rispen James, Private	"	Qr. ending June, 1868	" 1874
I	Regan Thomas, Private	Newcastle	24 Feb., 1867	" 1874
I	Regan James, Private	"	Qr. ending Dec., 1867	" 1874
I	Reid James, Sergeant	East Maitland	" 1868	" 1874
I	Ribbands Harry Stephen, Private	"	28 Dec., 1868	" 1874
I	Robson Mathew Emerah, Private	Kiama	Qr. ending Mar., 1869	20 Mar., 1874
I	Ramsey John, Piper	No. 1 Highlanders	18 Feb., 1869	Mar., 1874
I	Ranken Frank, Private	Gerringong	Qr. ending Mar., 1869	" 1874
I	Rigney Patrick John, Private	No. 3 Co., Sydney Battalion	15 Mar., 1869	" 1874
I	Roberts David, Private	Ulladulla	Qr. ending Mar., 1869	" 1874
I	Riley Philip Thompson, Private	Goulburn	April, 1869	April, 1874
I	Robertson Frank, Private	Ghebe	22 Feb., 1869	Mar., 1874
I	Rigney Kearn John, Private	No. 3 Co., Sydney Battalion	16 April, 1869	April, 1874
I	Robinson Thomas, Private	West Maitland	28 Aug., 1866	1 Jan., 1874
I	Ratray Geo. Allan, Gunner	No. 4 Battery	16 Feb., 1869	Feb., 1874
I	Riddle Thomas, Private	No. 1 Highlanders	31 May, 1869	May, 1874
I	Remington Robt. Thos., Private	Balmain	1 June, 1869	June, 1874
I	Robinson Fred., Private	Ulladulla	22 Feb., 1869	21 Feb., 1874
I	Rossi Fras. Robt. Louis, Private	Goulburn	22 Mar., 1869	Mar., 1874
I	Robbins Paul, Private	Jamberoo	16 April, 1869	1 Jan., 1875
I	Reilly Wm. Smith, Sergeant	Richmond	Aug., 1869	" 1875
I	Robinson Robert, Private	No. 6 Co., Sydney Battalion	9 Sept., 1868	" 1875
I	Robertson Wm. Foxton, Private	Goulburn	14 July, 1869	July, 1874
I	Richard Francis (1), Private	West Maitland	1 Sept., 1869	1 Jan., 1875
I	Reynolds John Thomas, Gunner	No. 1 Battery	29 April, 1868	" 1875
I	Reynolds Joseph, Private	Goulburn	21 July, 1869	" 1875
I	Rotton John Botilier, Private	Bathurst	27 July, 1869	" 1875
I	Rooke Fred. Chas., Sergeant	No. 2 Co., Sydney Battalion	7 Mar., 1870	Mar., 1875
I	Strange Thos. Fred., Gunner	No. 2 Battery	1 Aug., 1868	1 Jan., 1874
I	Sullivan Charles, Private	No. 3 Co., Sydney Battalion	31 Aug., 1868	" 1874
I	Steel James, Sergeant	No. 1 Highlanders	Qr. ending Sept., 1868	" 1874
I	Spence Alexander, Captain	"	" 1868	" 1874
I	Spinks James, Private	Kiama	Nov., 1868	" 1874
I	Sewell Joseph, Quartermaster-sergeant	"	" 1868	" 1874
I	Simmonds John, Private	"	" 1868	" 1874
I	Short William, Private	"	" 1868	" 1874
I	Smillie James, Sergeant	"	" 1868	" 1874
I	Small John Sutherland, Private	No. 2 Highlanders	Qr. ending Sept., 1868	" 1874
I	Sweeney Aird, Private	Paddington and Surry Hills	11 May, 1868	" 1874
I	Sprole Andrew, Private	No. 1 Highlanders	Qr. ending Sept., 1868	" 1874
I	Schwenn Carl, Private	Balmain	6 Feb., 1868	" 1874
I	Stewart Donald Edwd., Private	No. 1 Highlanders	Qr. ending Dec., 1868	" 1874
I	Stenner Sydney, Private	No. 6 Co., Sydney Battalion	23 Sept., 1868	" 1874
I	Sealey Geo. William, Private	South Sydney	Qr. ending Sept., 1865	" 1874
I	Stachan Edward, Private	Bathurst	" 1868	" 1874
I	Smith Thomas, Private	"	" 1868	" 1874
I	Smith Edwin Albert, Private	"	" 1868	" 1874
I	Smith Charles (No. 2), Private	"	" 1868	" 1874
I	Sheehan Jas. Henry, Private	Singleton	" Dec., 1868	" 1874
I	Sleeman Oliver, Private	Bathurst	" Sept., 1868	" 1874
I	Stacey Henry Peter, Lieutenant	Singleton	" 1868	" 1874
I	Saunders William, Private	Bathurst	" 1868	" 1874
I	Sharpe John, Corporal	Gerringong	Qr. ending Mar., 1869	Mar., 1874
I	Sharpe James, Sergeant	"	" 1869	" 1874
I	Sproule Andrew, Quartermaster-sergeant	Goulburn	22 Mar., 1869	" 1874
I	Scott Geo. Francis, Gunner	No. 7 Battery	Qr. ending Mar., 1869	" 1874
I	Sheaffe Percy Hale, Captain	Ulladulla	" 1869	" 1874
I	Shakespeare Elijah, Private	Newcastle	30 Jan., 1869	" 1874
I	Scheidel Frederick, Private	No. 3 Co., Sydney Battalion	3 May, 1869	May, 1874
I	Smart John, Private	No. 8 Co., "	April, 1869	April, 1874
I	Spence Peter Keay, Corporal	No. 2 Battery	8 Mar., 1869	Mar., 1874
I	Smith Thomas, Private	No. 6 Co., Sydney Battalion	Qr. ending Mar., 1869	" 1874
I	Sweeny Frederick, Private	Paddington and Surry Hills	12 April, 1869	April, 1874
I	Shoults Walter, Private	No. 3 Co., Sydney Battalion	12 June, 1869	June, 1874
I	Simpson George, Private	Jamberoo	Qr. ending June, 1869	July, 1874
I	Smith Charles, Private	Paddington and Surry Hills	14 June, 1869	June, 1874
I	Somerville Robt. Jas., Private	West Maitland	31 Aug., 1869	30 Aug., 1874
I	Small Jabez, Gunner	Artillery Band	15 Oct., 1869	Oct., 1874
I	Strong Richard, Gunner	"	6 Oct., 1869	" 1874
I	Stafford William, Sergeant	Richmond	Aug., 1869	1 Jan., 1875
I	Stewart William, Private	Jamberoo	15 Nov., 1869	" 1875
I	Street Peter, Private	Newcastle	4 Oct., 1869	" 1875
I	Spinks John, Private	Kiama	Qr. ending Nov., 1868	" 1874
I	Spicer Jas. William, Private	Paddington and Surry Hills	28 May, 1869	" 1875
I	Smith Frederick, Private	"	11 May, 1868	" 1875
I	Swan William, Private	West Maitland	22 June, 1869	" 1875
I	Sully John, Private	"	Qr. ending June, 1868	" 1875
I	Spencer John, Bugler	No. 1 Co., Sydney Battalion	7 Feb., 1870	Feb., 1875
I	Smith Joseph, Private	Richmond	Aug., 1869	1 Jan., 1875
I	Stephenson Wm. Jno., Lieutenant	Parramatta	16 Feb., 1870	Feb., 1875
I	Smith Henry Wm., Private	Singleton	24 Feb., 1870	24 Feb., 1875
I	Sheaves John, Private	No. 6 Co., Sydney Battalion	7 Mar., 1870	Mar., 1875
I	Shoults William Jas., Private	No. 3 Co., "	12 June, 1869	June, 1874
I	Shearston Edward, Private	No. 5 Co., "	21 Feb., 1870	Feb., 1875
I	Solman Robt. Jno., Private	Singleton	21 Mar., 1870	21 Mar., 1875
I	Sly John, Private	Richmond	Mar., 1870	Mar., 1875

No. issued.	Rank and Names.	Corps.	Date service commenced.	Date when entitled.
I	Steward Walter, Private	Wollongong	1 April, 1870	1 April, 1875
I	Strong John, Private	West Maitland	29 Mar., 1870	Mar., 1875
I	Sanbrook Ebenezer, Gunner	No. 2 Battery	11 April, 1870	April, 1875
I	Telfer Archd. Thomson, Colour-sergeant	No. 1 Highlanders	Qr. ending Sept., 1868	1 Jan., 1874
I	Thompson Hugh, Private	No. 2	" Dec., 1868	" 1874
I	Tweedle George, Private	No. 1	" Sept., 1868	" 1874
I	Turner Samuel, Corporal	Kiama	" Nov., 1868	" 1874
I	Totterdell William, Private	Brigade Band	Dec., 1866	" 1874
I	Thompson Nathaniel, Private	No. 6 Co., Sydney Battalion	3 Nov., 1868	" 1874
I	Teeson Chas. Randolph, Gunner	No. 2 Battery	Qr. ending Sept., 1868	" 1874
I	Turner Chas. Byass, Sergeant	Bathurst	" Dec., 1868	" 1874
I	Turner Geo. Jas. Thos., Private	West Maitland	" 9 Mar., 1869	Mar., 1874
I	Taylor Jno. B., Gunner	No. 3 Battery	17 April, 1869	April, 1874
I	Taylor William, Private	West Maitland	1862	1 Jan., 1874
I	Trenery John Joseph, Sergeant	Goulburn	April, 1869	May, 1874
I	Tate John, Private	Jamberoo	Qr. ending June, 1869	June, 1874
I	Tidswell Henry Parker, Private	Balmain	1 June, 1869	" 1874
I	Tandy John, Private	No. 5 Co., Sydney Battalion	18 May, 1869	1 Jan., 1875
I	Travis Herbert, Private	Richmond	Aug., 1869	" 1875
I	Tupper Albert, Private	No. 4 Co., Sydney Battalion	18 Oct., 1869	" 1875
I	Thompson Samuel, Private	Newcastle	1 Nov., 1869	" 1875
I	Trimley George, Sergeant	Singleton	9 July, 1868	" 1875
I	Vaughan James, Bombardier	No. 7 Battery	11 Nov., 1868	" 1874
I	Ventiman William, Private	No. 4 Co., Sydney Battalion	15 Dec., 1868	" 1874
I	Vincent George, Private	Brigade Band	25 Mar., 1869	26 April, 1874
I	Vidler John (No. 3), Private	Jamberoo	4 June, 1869	1 Jan., 1875
I	Vidler Edwin, Private	"	2 June, 1869	" 1875
I	Vidler John (No. 1), Private	"	July, 1869	" 1875
I	Vidler William Hy., Private	"	" 1869	" 1875
I	Wilson Richard, Private	Glebe	1 Oct., 1868	" 1874
I	Wall Thomas, Sergeant	No. 3 Co., Sydney Battalion	30 April, 1868	" 1874
I	Wallace Ingram, Private	No. 2 Highlanders	Qr. ending Sept., 1868	" 1874
I	Wood John, Private	Kiama	Nov., 1868	" 1874
I	Weston Joseph, Private	"	" 1868	" 1874
I	Wilson David Henry, Sergeant	"	" 1868	" 1874
I	Whitney Robert, Private	"	" 1868	" 1874
I	Walker James, Private	"	" 1868	" 1874
I	Walker George, Corporal	"	" 1868	" 1874
I	Walker Robert, Private	"	" 1868	" 1874
I	Walker John, Private	No. 2 Co., Sydney Battalion	17 Mar., 1868	" 1874
I	Waddell John, Sergeant	No. 2 Highlanders	Qr. ending Sept., 1868	" 1874
I	Ward Patrick, Private	No. 3 Co., Sydney Battalion	27 Oct., 1868	" 1874
I	Whitelaw Peter, Private	No. 1 Highlanders	Qr. ending Sept., 1868	" 1874
I	Weedon Charles, Private	Paddington and Surry Hills	11 April, 1868	" 1874
I	Waters Robert, Private	Parramatta	Qr. ending June, 1868	" 1874
I	Whitehead William, Private	Paddington and Surry Hills	28 Aug., 1868	" 1874
I	Wakeley George, Private	No. 5 Co., Sydney Battalion	15 June, 1868	" 1874
I	White James (2), Private	No. 2 Highlanders	Qr. ending Sept., 1868	" 1874
I	Walford Sion Henry, Private	No. 2 Co., Sydney Battalion	1 July, 1868	" 1874
I	Wakeley Samuel John, Private	No. 6 Co.,	6 July, 1868	" 1874
I	White Edward, Corporal	Bathurst	Qr. ending Sept., 1868	" 1874
I	Wray Geo. Albert, Private	"	" 1868	" 1874
I	White Jno. Henry, Private	"	" 1868	" 1874
I	Wright James, Private	Singleton	" Sept., 1868	" 1874
I	Williams Owen, Private	Newcastle	Qr. ending Mar., 1868	" 1874
I	White Wm. Hollingworth, Private	Bathurst	" Sept., 1868	" 1874
I	Wiburd James, Private	"	" 1868	" 1874
I	Wills Arthur Jno., Private	No. 4 Co., Sydney Battalion	29 Sept., 1868	" 1874
I	Woods Henry, Private	Brigade Band	25 Mar., 1869	26 Mar., 1874
I	Williams Henry, Private	No. 7 Co., Sydney Battalion	Qr. ending Dec., 1868	1 Jan., 1874
I	Waddell David Mathew, Sergeant	Singleton	Sept., 1868	Mar., 1874
I	Wilson Wm. Henry, Private	Goulburn	" 22 Mar., 1869	" 1874
I	Wilson John, Private	Gerrington	Qr. ending Mar., 1869	" 1874
I	Wilson James, Sergeant	"	" 1869	" 1874
I	Wiley Charles, Private	"	" 1869	" 1874
I	Williams Jno. Thomas, Corporal	No. 3 Co., Sydney Battalion	" 22 Mar., 1869	" 1874
I	Wilkie Jno., Corporal	Goulburn	" 1869	" 1874
I	Wilkinson John Henry, Corporal	West Maitland	9 Mar., 1869	" 1874
I	Williamson James, Gunner	No. 6 Battery	20 April, 1868	1 Jan., 1874
I	Woolridge Robert, Private	East Maitland	1 Mar., 1869	May, 1874
I	Woods George, Ensign	Jamberoo	Qr. ending June, 1869	June, 1874
I	Watson George, Private	"	15 June, 1869	" 1874
I	Wright Thomas, Private	South Sydney	15 Aug., 1869	Aug., 1874
I	Wilson John, Private	Singleton	24 Aug., 1869	" 1874
I	Wood William, Private	Goulburn	22 Mar., 1869	Oct., 1874
I	Walker William, Private	Hawkesbury	5 July, 1869	1 Jan., 1875
I	Webster Fredk., Private	No. 1 Co., Sydney Battalion	31 May, 1869	" 1875
I	Watts George, Private	Newcastle	29 Jan., 1870	29 Jan., 1875
I	Williams Thomas, Private	No. 1 Co., Sydney Battalion	21 Feb., 1870	Feb., 1875
I	West Arthur, Private	No. 3 Co.,	11 April, 1870	April, 1875
I	Young John, Private	Kiama	Nov., 1868	1 Jan., 1874
I	Young Chas. David, Private	Jamberoo	Qr. ending Sept., 1868	" 1874
I	Young Robert, Private	"	" June, 1869	June, 1874
I	Young Edwin, Private	Richmond	Aug., 1869	1 Jan., 1875

JOHN S. RICHARDSON, Lieut.-Col.,
Commandant.

1875.

NEW SOUTH WALES.

VOLUNTEERS.

(REGULATION DEFINING BATTERY OR COMPANY PARADE.)

Presented to Parliament pursuant to Act 31 Vic. No. 5, sec. 50.

Colonial Secretary's Office,
Sydney, 1 December, 1875.

His Excellency the Governor having been pleased, with the advice of the Executive Council, to make the following Regulation for the Volunteer Force, in substitution of Clause 3, in No. 61 of the Regulations published in the Supplementary Government Gazette of the 29th April, 1871, directs its publication in accordance with the 50th section of the Volunteer Force Regulation Act of 1867, viz. :—

By a "Battery or Company Parade" is meant an assembly of the Corps in uniform under arms for exercise, whereat not less than twenty of the enrolled members are present, exclusive of Commissioned Officers, unless the assembly of a smaller number be specially authorized by the Officer Commanding Volunteer Force, to count as such parade.

JOHN ROBERTSON.

1875-6.

NEW SOUTH WALES.

VOLUNTEER FORCE REGULATION ACT OF 1867.

(MONEYS EXPENDED UNDER IN 1875.)

Presented to Parliament, pursuant to Act 31 Vict., No. 5, sec. 51.

STATEMENT of all Moneys paid on account of the above Force during the year ending 31st December, 1875, furnished in accordance with Par. 51 of the Volunteer Act of 1867.

Particulars.	Amount.		
	£	s.	d.
Salaries and allowances— amount paid	6,694	12	8
Forage—Allowance in lieu thereof, paid to the officers of the General Staff, to officers commanding Brigade of Artillery, Sydney and Suburban Battalion Rifles, 1 paid Adjutant; and Garrison cart-horse	535	5	6
Travelling expenses to General Staff and Volunteer Officers	633	14	0
Compensation in lieu of uniforms to Staff Sergeant Instructors	58	0	0
Capitation allowance for Artillery Engineers and Rifle Corps	3,250	1	8
Musketry Badges issued to marksmen	149	15	0
Hire of horses for field guns and mounted officers of Artillery and Rifles	302	13	7
Brigade Band, contribution to	300	0	0
Rifle Association, contribution to	500	0	0
Armoury, Repairs and materials, and incidental, including freight and cartage of ammunition	686	3	4
Collecting and cleaning arms of Country corps, annual allowance of £5	90	0	0
Rifle Ranges, constructing new Butts, and keeping in repair the several Rifle Ranges at head quarters and of Country corps	326	3	0
Office rent for General Staff, Volunteer Artillery Brigade, Sydney and Suburban Battalion of Rifles	325	0	0
Office rent for officers commanding the Northern, Western, and Southern Battalions Rifles, at £15 per annum each	45	0	0
Officekeeper's, to officer at head quarters	32	0	0
Sheds at Rifle Range, completing same	204	11	6
TOTAL EXPENDITURE	£ 14,133	0	3

THOS. BAYNES, Major,
Brigade Paymaster.JOHN S. RICHARDSON, Lt.-Col.,
Commandant.

1875-6.

NEW SOUTH WALES.

VOLUNTEERS.

(NAVAL BRIGADE REGULATIONS.)

Presented to Parliament, pursuant to Act 31 Vict. No. 5, sec. 50.

Colonial Secretary's Office,
Sydney, 23th December, 1875.

His Excellency the Governor having been pleased, with the advice of the Executive Council, to make the following Regulations for the Naval Brigade, directs their publication in accordance with the 50th section of the Volunteer Force Regulation Act of 1867.

JOHN ROBERTSON.

NEW SOUTH WALES NAVAL BRIGADE.

THE Naval Brigade of New South Wales is maintained under the Act 31 Victoria No. 5, and is subject to the provisions of that Act and to all Regulations made by the authority of the Governor, in pursuance of the 50th section of the said Act.

The Brigade having been established for the purpose of securing the services of a picked body of seafaring men, who would be available for the defence of the Colony either afloat or ashore, it is essential that every member be drilled so as to obtain a thorough practical knowledge of the mode of using great guns and small arms.

The Brigade shall consist of such Commissioned Officers as may be appointed by the Governor, and such warrant and petty officers and men as may be appointed or engaged under the powers conferred by the said Act.

The Officer Commanding is held responsible for the discipline of the Brigade, and is armed with power for ordering fines to be exacted for non-attendance at drill, and for enforcing discipline by dismissal and otherwise.

General musters and company drills will take place as frequently as may be deemed necessary by the Officer Commanding for maintaining the efficiency of the Brigade.

The Brigade will be divided into companies, in charge of Lieutenants, who will be responsible to the Officer Commanding the Force for the arms, accoutrements, and clothing issued, and for the general efficiency and discipline of their respective companies.

Officers and men will be paid in accordance with the provision made by the Legislature for the support of the Brigade.

Every applicant for enrolment in the Brigade must produce certificates of character, or otherwise give satisfactory proof of good conduct and fitness for service in the Force, be a British subject, not less than five feet six inches in height, nor more than thirty-five years of age, and must take the oath of allegiance as prescribed in the Act.

Every member of the Brigade must be free from physical defects, and no person will be permitted to remain in the Force who from age or decrepitude is considered unfit for active service.

Members of the Brigade, when on duty, must obey the lawful commands of any superior officer; and must give the customary salute to all Commissioned Officers of Colonial Corps, and to officers of Her Majesty's Service, when in uniform.

In case of actual or apprehended invasion of any part of the Colony of New South Wales, the Naval Brigade may be assembled for service; and whenever they are so assembled they will be liable to serve in any place, or on board any ships within the jurisdiction of the Colony, and will be subject to the provisions of the Articles of War, and all the laws and regulations for the government of Her Majesty's vessels and Forces by sea.

The officers of the Naval Brigade shall take rank with the officers of the Royal Navy within the territory of New South Wales, as the junior of their respective grades.

The uniform of the officers and men of the Brigade shall be of such naval description as may be approved by the Governor.

Any member of the Brigade may, except when on actual service, retire from the Force on complying with the regulations in terms of the Act.

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1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

INTERNATIONAL RIFLE CONTEST.

(MESSAGE No. 43.)

Ordered by the Legislative Assembly to be printed, 30 May, 1876.

HERCULES ROBINSON,

Governor.

Message No. 43.

In accordance with the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly that a sum not exceeding one thousand pounds be paid to the New South Wales Rifle Association, out of the "Advance to Treasurer Fund," on condition of an equal amount being raised by private contributions, to assist in defraying the expenses of the New South Wales contingent of the Team of Riflemen representing Australia at the Rifle Contest to be held in America.

Government House,

Sydney, 30th May, 1876.

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SILK CULTURE.
(CORRESPONDENCE.)

Ordered by the Legislative Assembly to be printed, 31 March, 1876.

RETURN (in part) to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 29 June, 1875, That there be laid upon the Table of this House,—

“Copies of all Correspondence and Minutes in possession of the Government, not already laid upon the Table of the House, relating to Silk Culture.”

(Mr. Baker.)

SILK CULTURE.

SCHEDULE of Correspondence relative to the application of Mrs. Fanny Jones for a portion of land in the parish of Albury, county of Goulburn, for sericultural purposes.

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No. 1.

MRS. FANNY JONES to A. O. MORIARTY, Esq.

[Extracts.]

Bank of New South Wales,
Albury, 19 December, 1873.

* * * * *

After much consideration and a most satisfactory trial I have decided to go into silk culture as a business, and my husband has just applied to lease 40 acres, with a view to its becoming his freehold, for the immediate establishment of mulberry plantations, magnanaries, &c. * * *

* * * We were advised to apply for only 40 acres, but 100 would be none too much as the spot we have chosen is a little gully, in very hilly country, on the gold fields reserve, 7 miles from Albury.

I have no acquaintance with the Minister for Lands, but those who are acquainted with the prospects of silk culture in these colonies would not fail to think this new industry as worthy of encouragement as brickmaking or any other object contemplated in the framing of the 30th clause of the Land Act.

I think the Surveyor General, to whom I have written, has much knowledge of the importance of sericulture in these colonies. Victoria has granted 630 acres to a public sericultural company, with the use of public nurseries, and a fine building in the Government Domain, in which the first education will be conducted next month with the finest grain in the world, imported direct from Orbe in Switzerland. Western Australia has offered £500 for the first bale of silk produced there; and Sir Thomas Campbell has ordered 2,500 trees from Mrs. Niell, of Corowa. South Australia offers rewards for the first mulberry plantations and the first lot (weight specified) of cocoons produced there.

Therefore, I think New South Wales may fairly be expected to give a helping hand to an industry which promises to bring great wealth to these colonies through the most legitimate channels.

* * * * *

Very truly yours,
FANNY JONES.

Mr. Jones is the manager of the Bank of New South Wales at Albury, and a gentleman likely to devote capital and energy to the development of such a pursuit. In some other cases leases have been granted in the same district for the like object which, although not one of those contemplated by the Occupation Act, is of so special and useful a character as to deserve every facility and encouragement, and has already received favorable notice in the Legislature. I should strongly recommend the same concession being extended to Mr. Jones that has been extended to Mr. Affleck and others, and in the event of any application being made to the Legislature the cases can all be dealt with alike and together. Perhaps the Surveyor General will express an opinion on the subject.—A.O.M., 31/12/73.

I concur in the minute of Mr. Moriarty, and only advise that as a precaution the report of the District Surveyor should be obtained in the first instance in all such cases, and especially as to any objection to the lease being converted hereafter into a purchase.—P.F.A., 8 Jan.

To be referred to the surveyor, and Mr. Robertson to be apprised that the application will be complied with, subject to the favorable report of the surveyor.—W.W.S., 14.

Approved; but the Government cannot now enter into a contract for the sale of the land, or give any promise that Jones shall become the purchaser.—J.S.F., 17/1/74.

Refer to Mr. Wood, and inform.—A.O.M., 18/1/74.

The Surveyor General.—O.R., for the U.S., B.C., 21 January, /74.

No. 2.

MRS. FANNY JONES to T. ROBERTSON, Esq., M.L.A.

Bank of New South Wales,
Albury, 19 December, 1873.

MY DEAR MR. ROBERTSON,

After much consideration and a trial of my own by rearing some hundreds of worms, I have decided to go into the business of silk-culture, and my husband has applied for a lease of 40 acres of land we have picked out 7 miles from here, possessing, we think, the chief requisites for the culture of the mulberry.

We are prepared to start with extraordinary advantages, some hundreds of young trees, a full supply of the finest race of silkworms in the world, imported by Mrs. Niell, of Corowa, annually, from Orbe, in Switzerland, and are now famous throughout Italy, brand of M. Roland, under which the "grain" (eggs) will command the best markets of France and Italy. Added to this I shall have at first cheap labor by taking pupils in this new industry. Mrs. Niell has now six, and will have seven next education, and I should begin with two at any rate. Now not having much capital at our disposal I write to ask you to use your best influence with the Minister for Lands, or others, to get us this land. We applied by advice for only 40 acres, but would want—the country being very hilly—about 100 acres to make a good homestead and a mulberry plantation with magnanaries, silk houses, and nurseries upon as easy terms as possible.

Seeing the vast advantages a large silk-produce will bring to this country very shortly, and the enormous strides which sericulture is making under Government assistance and interest, both in Victoria and Western Australia, I think our Government may be induced to give us such aid as the 30th clause of the Land Act appears to empower them to do.

Surely silk-growing is to be as much encouraged as an industry as brickmaking, since it promises to afford profitable employment to those whose age, sex, or health unfit them for the more laborious methods of earning a livelihood.

Trusting that you will advocate our cause by the best means in your power, and with kind remembrances to Mrs. Robertson, believe me to be

Very truly yours,
FANNY JONES.

No. 3.

THE UNDER SECRETARY FOR LANDS to T. ROBERTSON, Esq., M.L.A.

Department of Lands,
Sydney 21 January, 1874.

SIR,

I am directed to inform you that an application made by Mrs. Fanny Jones for permission to lease under the 30th clause of the Crown Lands Occupation Act, certain land in the neighbourhood of Albury, for the purpose of sericulture, has been referred to Mr. District-Surveyor Wood for his report, upon receipt of which a further communication will be made to you. At the same time however I am to state, that the Government cannot at present enter into a contract for the sale of the land, or give a promise that the applicant shall become the purchaser.

I have, &c.,
A. O. MORIARTY,
For the Under Secretary.

No. 4.

MINUTE OF THE SURVEYOR GENERAL.

MR. District-Surveyor Wood will be good enough to cause the measurement to be made, and to report in the terms of my minute of 8th January.

P.F.A., 28 June, /74.

Annexed to No.
1.

This application is for land adjoining that applied for by J. Walker Jones, within the Black Range Gold Field and Albury Temporary Common. I am not aware of any objection on public grounds to the granting of the lease, and which, if allowed, I can recommend should convey the right to purchase.

The rent I would suggest should be at the rate of 5s. per acre per annum.

Please refer to my report.—J. H. WOOD, D.-S., B.C., 30 June, 1874. The Surveyor General.

No. 5.

MR. LICENSED-SURVEYOR BERRY to THE SURVEYOR GENERAL.

Albury, 5 May, 1875.

SIR,

I have the honor to transmit herewith plan* of portion No. 245 of 40 acres, the application of *Appendix A. Fanny Jones, to lease for sericultural purposes.

Parish of Albury, county of Goulburn.

Instructions from Mr. District-Surveyor Wood, for measurement.

I have, &c.,
HENRY BERRY,
Licensed Surveyor.

SCHEDULE

SCHEDULE of Correspondence relative to the application of Mr. J. Walker Jones, for a portion of land in the parish of Albury, county of Goulburn, for sericultural purposes.

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2. Mr. Gold-Commissioner Brownrigg to Under Secretary for Lands, recommending Mr. Jones' application above referred to. 19 December, 1873	4
3. Mr. District-Surveyor Wood to Surveyor General, reporting on No. 1, with minutes thereon. 30 June, 1874	4
4. Mr. Licensed-Surveyor Berry to Surveyor General, transmitting plan of portion No. 234, of 40 acres, applied for by Mr. J. W. Jones to lease for sericultural purposes. 5 May, 1875	5
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No. 1.

MR. J. W. JONES TO THE MINISTER FOR LANDS.

Albury, 16 December, 1873.

SIR,

I have the honor to apply to lease 40 acres of land, under described, for the special purpose of using the same for the raising of silk and sericultural purposes generally. I am in a position to commence this project so soon as a lease of the ground is obtained.

I have, &c.,
J. WALKER JONES.

County Goulburn, parish Mungabarina, in Hamilton's Gully, about 2 miles north-westerly from "Johnson's" a marked-tree, situated near centre of land applied for, and bounded by lines to include area.

Seen in consequence of a note received from Mr. Jones; such applications should, I think, be reported on by the District Surveyor, and especially as to whether or not the lease should convey right to purchase or not.—P.F.A. The Under Secretary for Lands.

To be referred for report of the District Surveyor.—W.W.S., B.C., 3 January, 1874.

Mr. District-Surveyor Wood for report.—J.S.A., B.C., 5 January, 1874.

No. 2.

MR. GOLD-COMMISSIONER BROWNRIGG TO THE UNDER SECRETARY FOR LANDS.

Gold Commissioner's Office,

Albury, 19 December, 1873.

SIR,

I have the honor to represent that Mr. J. W. Jones, of Albury, who has applied to the Honorable the Minister for Lands to be allowed to lease some 40 acres of land selected in Hamilton's Gully, and included within the limits of the Black Range Gold Field Reserve, waited upon me to-day to ascertain whether or not I considered that the granting such an application would be likely to interfere in any manner with gold mining operations in that locality, and having expressed a very decided opinion that it would not, Mr. Jones has urged me under the contingency of the matter being referred to me from head quarters and to avoid as much delay as can be avoided, to at once communicate the opinion I have now expressed on this point. My doing so may appear a little out of rule, but being aware that Mr. Jones' application is for a most praiseworthy object—an endeavour to introduce and cultivate a new industry in this district, sericulture—I have felt the less hesitation in complying with his request.

I have, &c.,
MARCUS F. BROWNRIGG,
Gold Commissioner.

No. 3.

MR. DISTRICT-SURVEYOR WOOD TO THE SURVEYOR GENERAL.

District Survey Office,

Albury, 30 June, 1874.

SIR,

See No. 1.

Referring to your instructions of the 5th January last, requesting my report on an application by Mr. J. Walker Jones for a lease of 40 acres of land for sericultural purposes, I have the honor to inform you that the land applied for is within the Albury Temporary Common, at a place known as Hamilton's Gully.

2. As the temporary Common is within the Black Range Gold Field it appears to me doubtful whether it would be legal to lease the land for the purpose desired; if it is, I can recommend that the application be granted, as it is for an industry which should meet with encouragement.

3. The lease, if granted, should I consider convey a right to purchase if at the expiration of it the lessee has planted two-thirds of the area with permanent mulberry-trees, as it takes two or three years before the trees are of much value, and a considerable sum of money will probably be expended in the erection of suitable buildings for the rearing of the silkworm, &c.

4. I would beg to suggest that the rent should be at the rate of 5s. per acre per annum.

I have, &c.,
JAMES H. WOOD, D.S.

A similar application to lease a portion of the Albury Temporary Commonage was granted to Mr. Affleck, and I see no reasonable ground on which to refuse Mr. J. W. Jones'. I suppose the legality of the transaction was duly weighed before granting the first-mentioned lease.—P.F.A., 28 July.

No. 4.

MR. LICENSED-SURVEYOR BERRY to THE SURVEYOR GENERAL.

Albury, 5 May, 1875.

SIR,

I have the honor to transmit herewith plan* of portion No. 234 of 40 acres, the application *Appendix B. of John Walker Jones, to lease for sericultural purposes.
Parish of Albury, county of Goulburn.

I have, &c.,
HENRY BERRY,
Licensed Surveyor.

No. 5.

MR. J. W. JONES to THE CHIEF COMMISSIONER OF CROWN LANDS.

Bank of New South Wales,
Albury, 27 November, 1875.

SIR,

I do myself the honor to state that in or about January, 1874, application was made by me to ^{See No. 1.} lease 40 acres on the Gold Field Reserve in the neighbourhood of Albury, for the purpose of prosecuting the industry of sericulture. I am given to understand that the land has been surveyed, and the plans sent in to the office of the Surveyor General. I should therefore feel obliged by your informing me if the application has been favourably entertained, and if so upon what terms the land is to be held.

I may state that a similar application to the above was made at the same time by my wife, Fanny Jones.

I have, &c.,
J. WALKER JONES.

SCHEDULE of Correspondence with respect to the application of Mr. Charles Brady, for a portion of land situated at Tweed River, for sericultural purposes.

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2. Under Secretary for Lands to Mr. Charles Brady, in reply to No. 1. 31 October, 1870	6
3. Same to same, apprising him of the arrangements made by the Secretary for Lands, under which he (Mr. Brady) is empowered to select 1,280 acres of land for silk production in the vicinity of Curl Curl, near Manly. 21 November, 1870	6
4. Memorandum of Surveyor General respecting reservation from sale of about 1,300 acres, under section 4 of the "Crown Lands Alienation Act of 1861", with description enclosed, and minutes. 1 February, 1871	6
5. C. Brady to Minister for Lands, intimating his selection of a piece of land, and suggesting that the public should be notified of the willingness of the Government to assist cultivators of sericulture, with minutes. 11 February, 1871	7
6. Under Secretary for Lands to C. Brady, stating that not more than 320 acres can be granted for the purpose of cultivating the ailanthus silkworm. 13 February, 1871	7
7. Same to same, requesting him to point out the position of selection of 320 acres at Tweed River. 14 February, 1871.	7
8. C. Brady to Minister for Lands, stating that a larger area than 320 acres is necessary; minute thereon. 18 February, 1871	7
9. Same to same, respecting the land applied for by him for the purpose named, with minutes thereon. 2 March, 1871.	8
10. Under Secretary for Lands to C. Brady, in reply to No. 9. 6 March, 1871	9
11. Memorandum on the subject. 6 March, 1871	9
12. C. Brady to Minister for Lands, relative to the delay in granting him a lease of the land applied for. 30 March, 1871	9
13. Under Secretary for Lands to Mr. C. Brady, in answer to No. 12. 5 April, 1871	10
14. C. Brady to Minister for Lands, applying for grant of lease of 1,280 acres in question, enclosing tracing showing situation of land required, with minutes. 5 November, 1872	10
15. Officer in charge of Occupation of Lands to Mr. C. Brady, in reference to above. 6 December, 1872	10
16. Same to Under Secretary for Finance and Trade, to same effect. 6 December, 1872	11
17. Treasury receipt of rent paid on portion of land at Tweed River, leased by Mr. C. Brady. 6 December, 1872	11
18. Officer in charge of Occupation of Lands to Mr. C. Brady, conveying necessary authority for the occupation of the land alluded to, with description thereof enclosed. 7 December, 1872	11
19. Gazette Notice. Lease for a special object. 13 December, 1872	11
20. Minute of the Officer in charge of Occupation of Lands, recommending that the portion be temporarily reserved from sale. 20 December, 1872	12
21. Minute of the Executive Council, approving of same. 21 December, 1872	12
22. C. Brady to Officer in charge of Occupation of Lands, suggesting that an official intimation be made of his special lease, in order to prevent any inconvenience from trespassers, with minutes. 30 January, 1873	12
23. Gazette Notice. Reserve from sale for silk culture. 5 February, 1873	12
24. Memo. of the officer in charge of Occupation of Lands, recommending that the reserve from sale for silk culture be specially exempted from the operation of licenses issued under Regulations of 14 December, 1866. 10 February, 1873	12
25. Minute of Executive Council, approving of above, with minutes attached. 10 February, 1873	13
26. Gazette notice—Reserve from Sale for Silk Culture, in lieu of No. 23. 28 March, 1873	13
27. Officer in charge of the Occupation of Lands to the Commissioner of Crown Lands, New England, Clarence, and Macleay Districts, tracing attention to Gazette notice. 2 April, 1873	13
28. Same to Constable Luke Torpy, to same effect. 2 April, 1873	14
29. Same to Mr. C. Brady, in reply to No. 22, and directing attention to above notice in Gazette. 2 April, 1873	14
30. Under Secretary for Lands to Land Agent at Tweed River, forwarding description and tracing of portion of land adverted to in Gazette notice. 30 April, 1873	14
31. Mr. C. Brady to Minister for Lands, suggesting that nurseries for Public School children be formed throughout the Colony, with minutes thereon. 1 May, 1873	14

NO.	PAGE.
32. Under Secretary for Lands to C. Brady, in reply to No. 31. 6 May, 1873	15
33. T. Bawden, Esq., M.L.A., to Minister for Lands, forwarding Petition from certain residents upon the Tweed River, relative to land in the occupation of Mr. C. Brady, with minutes thereon. 19 April, 1875	15
34. Officer in charge of the Occupation of Lands to Crown Bailiff, Tweed River, requesting him to report as to the progress, nature, and value of improvements made by Mr. Brady on reserve 1,280 acres, at Teranora, Tweed River, leased to him. 10 June, 1875	15
35. Constable Luke Torpy, to Officer in charge of Occupation of Lands, reporting in accordance with directions contained in No. 34—minutes thereon. 17 July, 1875	16
36. Officer in charge of Occupation of Lands to Mr. C. Brady, informing him of report made, and assuming that he has abandoned his primary purpose of cultivating land leased to him, and that said land may be resumed by Government. 23 October, 1875	16

No. 1.

MR. C. BRADY TO THE MINISTER FOR LANDS.

Curl Curl,
Manly, New South Wales,
12 September, 1870.

SIR,

Mr. Cowper in a conversation with reference to the correspondence relating to silk, lately presented to Parliament, suggested to me to see you on the subject.

I called at your office when in town, but not having been able to find you disengaged, I shall be glad if you will make an appointment to see me at your early convenience in order that I may afford you such explanations as you may require, and learn from you what steps you may consider expedient to be taken. There is a very general desire with the public to have effective measures adopted to place the silk industry on a permanent footing, and your colleagues also I understand are quite disposed to deal at once with the matter.

I am, &c.,
CHARLES BRADY.

Consultation.—I should like to see Mr. Brady any day, $\frac{1}{2}$ past 11 a.m. He to give notice the day before.—JOHN R., 25 Oct.

The Cabinet approves of the arrangement I have made with Mr. Brady under which he is to select (to be afterwards leased to him) 280 acres of land.—JOHN R.

Inform by letter, and then await selection.—Written by J.G.A., 16 Nov.

No. 2.

THE UNDER SECRETARY FOR LANDS TO MR. C. BRADY.

Department of Lands,
Sydney, 31 October, 1870.

SIR,

In accordance with the request contained in your letter of the 12th ultimo, I am directed to inform you that Mr. Secretary Robertson would like to see you any day at half-past 11 o'clock, and to request that you will be good enough to give notice the day before.

W. W. STEPHEN.

No. 3.

THE UNDER SECRETARY FOR LANDS TO MR. C. BRADY.

Department of Lands,
Sydney, 21 November, 1870.

SIR,

Referring to your letter of the 4th instant on the subject of the production of silk in this Colony, I am directed by the Secretary for Lands to inform you that the Government have approved of the arrangements made by Mr. Secretary Robertson with you, under which you are empowered to select (to be afterwards leased to you) 1,280 acres of land in the vicinity of Curl Curl, near Manly.

I have, &c.,
W. W. STEPHEN.

No. 4.

MEMORANDUM OF THE SURVEYOR GENERAL.

THE ex-Minister for Lands directed that a portion of land to be pointed out by Mr. Brady be reserved from sale for the cultivation of the ailanthus silkworm. Mr. Brady, having on the enclosed tracing shown the site and extent of the land desirable for the purpose, namely about 1,300 acres, situated on the Tweed River, Clarence District, a description is now forwarded, defining that area for reservation from sale under section 4 of the Crown Lands Alienation Act.

J. S. ADAMS,
for S.G.

B.C. 1 Feb., /71. The Under Secretary for Lands. For approval, 9 Feb.

I cannot recommend the reservation from sale of more than 320 acres for the purpose.—J.B.W., 9 Feb.

Inform Mr. Brady, addressed to Manly Beach, and return papers to Mr. Ellis.—G.J.A.

Mr. Brady may probably be asked to point out the area he may consider most desirable for the purpose, not to exceed 320 acres.—J.E., 14 Feb.

[Enclosure

No such letter registered—probably a private communication.

Tracing not with paper. See description annexed

Annexed.

[Enclosure to No. 4.]

For the cultivation of ailanthus silk in county of Rouse, between the Tweed River and the Terranora branch of that river, parish of Terranora, containing about 1,300 acres. The Crown Lands within the following boundaries: Commencing on the Tweed River, at the junction of the Broadwater; and bounded on the west by a line north opposite the north-eastern corner of J. Callaghan's C.P., being portion 7 of the aforesaid, about 1½ mile to the margin of the flat at the Terranora branch; thence by that flat north-easterly about 30 chains in a direct line; on the north by a line east about 1 mile and 10 chains; on the east by a line south distant 1 mile 28 chains from the western boundary, about 94 chains to the Tweed River; and on the south by that river, south-easterly, 1 mile and 53 chains, to the point of commencement.

No. 5.

MR. C. BRADY TO THE MINISTER FOR LANDS.

Manly, 11 February, 1871.

SIR,

By virtue of your letter, dated 21st November, I have made anxious search for a suitable place containing the particular requirements to afford me opportunity to carry on the necessary operations for the production in the Colony of many different kinds of silk.

The selection I have made is the piece of land on the Tweed River, indicated by the rough sketch map which I have already handed to the Deputy Surveyor General, and I have now the honor to request that you will be pleased to direct the necessary steps for its survey, and to give me authority to take possession of the ground. I have not hesitated, the silk industry being entirely new to the Colony, to afford every assistance in my power to any and every person who, with the object of rearing silk as a source of income, has sought information from me. I have distributed gratuitously plants or cuttings from my own stock to such persons as have intimated their desire and intention to cultivate the food and in due time to enter seriously upon the production of silk, for profit, and either by correspondence or by personal intercourse I afforded them as much precise instruction as circumstances permitted.

I would however venture to suggest, in view of the intention of the Government in having taken the preliminary steps regarding the land and any course that may be resolved on by the Legislature to afford me encouragement and aid to justify and enable me to devote time as well as my means and experience to promote, concurrently with my own, the interests of colonists in general by the distribution of proper information, food, plants, and silkworms, wherewith to begin. Some announcement might be given by which the public may be notified of the wish of the Government to render cultivators as much practical help as possible.

I have, &c.,

CHARLES BRADY.

Mr. Brady to be informed that 320 acres are in process of reservation on the Tweed River; when reservation is complete he may take possession.—J.B.W., 13 Feb.

No. 6.

THE UNDER SECRETARY FOR LANDS TO MR. C. BRADY.

Department of Lands,
Sydney, 13 February, 1871.

SIR,

In reference to your tracing, showing a portion of land at the Tweed River, embracing an area of 1,300 acres, which you desire should be reserved from sale for the purpose of cultivating ailanthus silkworm, I am directed to inform you that the Minister for Lands cannot recommend the reservation for the purpose of a larger area than 320 acres.

I have, &c.,

W. W. STEPHEN.

No. 7.

THE UNDER SECRETARY FOR LANDS TO MR. C. BRADY.

Department of Lands,
Sydney 14 February, 1871.

SIR,

Adverting to my letter dated 13th instant, apprising you that not more than 320 acres at the Tweed River could be reserved from sale for the cultivation of the ailanthus silkworm, I am directed to request that you will point out the position in which you think it most desirable that the reserve should be made.

I have, &c.,

W. W. STEPHEN.

No. 8.

MR. C. BRADY TO THE MINISTER FOR LANDS.

Manly, 18 February, 1871.

SIR,

I have the honor to acknowledge receipt of your letters dated 13th and 14th instant, which came to hand after I had written my letter dated 11th instant.

It appears there is a misconception as to the object of the reserve of 1,280 acres; it is not merely to provide for ailanthus silkworms, but for many other kinds as well which necessitates an appropriate locality, for each kind varies more or less in its requirements. I have a large number of different breeds

of mulberry silkworms, some requiring one and some requiring other varieties of mulberry for their sustenance; these mulberries (and they are numerous) would have to be planted in localities adapted to their several natures. Besides mulberry worms, which have to be reared in places apart from one another in buildings suitable to their respective qualities, there are out-door silkworms, which must be fed in the open on oak and other kinds of food. Some of these outdoor silkworms multiply twice or thrice or oftener in one season; hence it is manifest that even if the trees were already well grown, a considerable breadth of land must be planted to maintain the stock from one generation to the next; in point of fact while the trees are young but very moderate use of their leaves can be made, or the plants would be destroyed. I would also recall your attention to the very important feature in my operations, a method originated in this country and by me, of raising not one crop of silk only in a year from mulberry worms, which in this country would be an expensive and comparatively little profitable operation, but a succession of rearings day by day for a large portion of the year, which mode I have demonstrated by experience to be the true one to profit by the peculiarities of this climate. The supply of food of different kinds to support the worms in their various periods can only be obtained by judicious culture, and on an adequate scope of land. A considerable number of persons would have to be maintained on the ground constantly, for without them operations even on a small scale would be impracticable to employ these persons profitably under the difficulties of a new enterprise, wherein I should have myself to instruct and break in the work-people, gives occasion for special precaution. I explained to Mr. Secretary Robertson that with 2 miles of good land, possessing the requirements to facilitate the concentration of my energies and operations, I should have a material condition to permit the carrying out of my design—a design of importance to the Colony as well as to me—a less quantity than 1,280 acres would not suffice. This quantity was asked for and agreed to, and I have only to add I feel convinced, in view of the exceptional difficulties, I the pioneer in this industry have to contend with, I should have to exert all my knowledge and skill to invoke good fortune for my aid for some time, to raise sufficient food and maintain my stock while the plantations are growing. For these and other reasons I trust you will be pleased to reconsider your view of the matter, and will cause the needful to be done without delay, to give effect to the original arrangement according to your letter dated 24th* November last, in faith of which arrangement I have expended no little time and pains to find a suitable place.

I have, &c.,
CHARLES BRADY.

Inform Mr. Brady that the Government do not consider it advisable to increase the proposed reserve at present.—J.B.W., 23 Feb.

No. 9.

MR. C. BRADY TO THE MINISTER FOR LANDS.

Manly, 2 March, 1871.

SIR,

As the matter is very urgent I trust you will allow me to direct your attention to my letter of the 18th February, and to ask your early and favourable decision in respect to the land I have applied for under authority of your letter dated 21st November.

I explained to Mr. Secretary Robertson, in person, at the time he was Minister for Lands, that if I could have a piece of land in one block which would afford me the conditions of quality, aspect, and elevation, &c., requisite for the many different food plants necessary to support the large number of kinds of silkworms, both wild and domesticated, which have been introduced by me into the country, 2 miles would probably comprise, if selected in one spot, the conditions which would enable me to attend to the rearings in person, which could not otherwise be done. It was also explained that there is no one else in the country who has yet the needful knowledge and experience.

Mr. Robertson suggested that such a place might be found somewhere about Port Macquarie, but I said that I had special reasons for thinking that on one of the northern rivers would suit me best, and the Tweed would be the most probable. I must do Mr. Robertson the justice to say that he cordially entered into the representations made to the Government; he told me it was immaterial where I selected, but that I must look out for myself and find out what ground would do me. Mr. Robertson gave directions in my presence that the land I should point out to the Deputy Surveyor General should be at once reserved, and that I should be authorized to go to work on it without delay. He moreover promised that he would introduce a Bill into the House to deal with the reserve as a special case.

It was in consequence of this understanding, and in faith of your letter under date 21st November, that I devoted much pains and expense to make the selection, of which I handed in particulars to your office on 31st January. I have further, and with no other idea than with reference to this locality, made a good many arrangements to forthwith carry out my operations. There is no other place I know which will enable me to do what is necessary on so convenient a spot, and I may be permitted to assure you without offence that I applied for the particular place and quantity in question because I know as a practical man what is necessary, and because it is adapted to my purpose. It would be very much to be regretted that any difficulties raised now should embarrass me, defeat a great public benefit, or bring discredit on the Government.

As I am seriously prejudiced by the delay, I trust you will be good enough to consider the matter in the light of a distinct Ministerial promise, and direct such arrangements as will allow me at any rate to occupy the 1,280 acres selected at once, whatever ultimate decision may be arrived at as to the terms of tenure, which are much less material to me than the opportunity to carry out my rearings in an effective manner.

I have, &c.,
CHARLES BRADY.

This

This paper has been handed to me by my honorable colleague the Minister for Lands, for my views with regard to it.

I am sorry that I am bound to differ almost in every particular with the writer, so far at any rate as our personal conference was concerned.

What took place was, that I expressed a willingness to reserve from sale suitable land until the opinion of Parliament was obtained as to the desirability of dealing in a special manner with the case, and in intimating that willingness I asked the amount of acreage that would be necessary. To this Mr. Brady replied 1,280 acres. I expressed surprise, and really thought him not in earnest, for the idea of planting any such quantity of land seemed preposterous. Mr. Brady replied that he would want the land not for culture but for the run of the necessary stock intended for the work, and intimated his intention of taking up the land, not at Port Macquarie but at Lake Macquarie. I inquired whether there was any good land there, and having heard that there was, and that there was plenty of grazing land of very inferior quality adjoining, I expressed my willingness to allow the quantity he asked to be reserved, as I knew the grazing portion of it would not be likely to be required for selection by others. The present proposition is to take 1,280 acres at the Tweed River, a district where the very best land in the Colony is to be found, and the probability is that the whole of the 1,280 acres asked for is of first-class agricultural character, and likely to be very soon selected by others. Under these circumstances while I should still be willing that Mr. Brady should have 1,280 acres reserved at Lake Macquarie, I am of opinion that the Minister for Lands has done all that he could properly do, when he consents to reserve 320 acres at the Tweed River.

JOHN R., 31 March.

Inform Mr. Brady that the reserve cannot be increased.—J.B.W., 3 April, /71.

No. 10.

THE UNDER SECRETARY FOR LANDS TO MR. C. BRADY.

THE Under Secretary for Lands, in reply, to the effect of the Minister's minute on No. 9, viz., that the reserve cannot be increased —6 March, 1871.

[Not apparently entered in letter-book.]

No. 11.

MEMORANDUM TO THE UNDER SECRETARY FOR LANDS.

MEMO.,

Mr. Brady refers to a communication from this department dated 21st November last.

No. 3.

Herewith are the papers in the case which were dealt with in the Ministerial Branch, and of the existence of which I was not aware.

In the letter referred to Mr. Brady was informed that the Government had approved of the arrangement made with him by Mr. Secretary Robertson, under which he was empowered to select, to be afterwards leased by him, 1,280 acres of land. As the decision of the Honorable the Minister for Lands may possibly have been given without a knowledge of the previous papers the case is resubmitted.

I presume the letter to Mr. Brady, dated 6th instant, may be withheld, pending further action.

See No. 10.

L.S.T., 6/3/71.

Colonial Secretary,—Will Mr. Robertson kindly look at this letter?—J.B.W., 14 March.

No. 12.

MR. C. BRADY TO THE MINISTER FOR LANDS.

Manly, 30 March, 1871.

SIR,

I have as yet received no official reply to the letter which I had the honor to address you on the 2nd instant, with reference to the land I applied for on 31st January, under authority of your letter of 21st November. The delay in making the reserve has caused me such serious losses and embarrassment it is now necessary for me to state that any further delay will render it impossible for me to continue the enterprise which had progressed so well; and that if the Government by its want of action bars me the opportunity to turn the stock of silkworms now in the country to profitable account, I shall have no option but to allow to perish or to actually destroy the valuable collection in the colony. It appears to me singularly strange that any difficulty whatever should be recklessly interposed in the way of an enterprise so exceptional in its character, and so calculated to be of public benefit—a work the benefit of which the public can have no right to partake, except by my consent, and to which the public can acquire no title whatever, except through the agency of the Government—a work which hitherto no other person has been able to accomplish with public or with private means,—which, accomplished now and resting entirely on the health, strength, and resources of a single individual, is in imminent danger of being as completely lost as if it never existed. I have afforded every opportunity for the public to take advantage of what has been done, and I may now add, that if the stock now in existence in the Colony is lost it could scarcely by possibility be reinstated, even were another person to be found possessing the peculiar knowledge, energy, and opportunities indispensable to undertake so long and anxious a task.

No. 9.
No. 3.
No application of this date appears to have been received—probably a personal application.

The land I have asked for has never yet, in all one hundred years, brought one penny in money to the State, and is not required for any other purpose whatever. I can learn of no substantial reason for the demur for me to make use of it, or for me to be allowed the privilege of paying for it.

I have, &c.,

CHARLES BRADY.

No. 13.

THE UNDER SECRETARY FOR LANDS TO MR. C. BRADY.

Department of Lands,
Sydney, 5 April, 1871.

SIR,

No. 12.

With reference to your letter of the 30th ultimo and previous correspondence, respecting the proposed reserve at the Tweed River for the cultivation of the silkworm, I am directed to inform you that the Government do not consider it advisable to increase the area (320 acres) already proposed to be reserved for the purpose in question.

2. I am to request that you will point out the position in which you think it desirable that the reserve should be made.

I have, &c.
W. W. STEPHEN.

No. 14.

MR. C. BRADY TO THE MINISTER FOR LANDS.

Manly, 5 November, 1872.

SIR,

I have the honor to request that a lease be granted to me for the special purpose of cultivation of silk, and conveniences connected therewith, of 1,280 acres of land on the Tweed River, in the parishes Berwick and Terranora, county Rous, in one block, situate to the west of Mark's 320 acres, and north of Skinner's, Logan's, and M'Leod's conditional purchases on or near North Arm, Tweed River, to embrace Duroby Creek and V. R. 171, and more clearly shown in the accompanying sketch.*

*Appendix C.

The land being required for a new and exceptional industry, which is calculated to bring considerable benefit to the general public, I trust the rent will be merely nominal, as an acknowledgment of occupation.

I have, &c.,
CHARLES BRADY.

[Annexures to No. 14.]

MEMO. *re* Mr. Brady's application to be allowed certain land at Tweed River.

NONE of the conditional purchasers of land adjoining that applied for by Mr. Brady have taken up pre-emptive leases.

The V. R. sought to be included by Mr. Brady in the 1,280 acres should not, I think, be interfered with; Mr. Brady could have access through it, in common with the public, and he might perhaps be allowed a small area on the river under section 30 of the Occupation Act, for the purpose of erecting wharf accommodation.

A lease of the 1,280 acres under section 30 of Occupation Act to Mr. Brady would not protect that area from conditional purchase unless it was also "reserved from sale until surveyed" under the 6th section of the Alienation Act.

Apparently there is no objection to the leasing, or otherwise putting Mr. Brady in possession of the 1,280 acres, with the exception of the land set apart as a V.R.

C.E.F., 8 November, 1872.

A lease may be granted to Mr. Brady at a nominal rental of the 1,280 acres applied for, exclusive of the reserve. It will be necessary to secure Mr. Brady's occupation, that this land should be reserved from sale.—A.O.P., 3 December, 1872.

Approved.—J.S.F., 5/12/72.

No. 15.

THE OFFICER IN CHARGE OF OCCUPATION OF CROWN LANDS TO MR. C. BRADY.

Occupation of Lands,
Sydney, 6 December, 1872.

SIR,

No. 13.

Referring to your letter of the 5th ultimo, addressed to the Honorable the Minister for Lands, I am directed to inform you that you will be permitted to occupy on sufferance 1,280 acres of land on the Tweed River, in the parishes of Berwick and Terranora, exclusive of the Village Reserve, for the purpose of silk culture, at a nominal rental of one shilling per annum by way of acknowledgment.

The annual rent is payable on or before the 31st December in each year, in advance for the ensuing year, in default of which the permission will be withdrawn.

I have therefore to request that you will be good enough to pay forthwith into the Treasury the sum of one shilling, being rent for the ensuing year, on receipt of which your occupation will be authorized.

I have, &c.,
A. O. PRETIOUS,
Officer in Charge.

No. 16.

11

No. 16.

THE OFFICER IN CHARGE OF OCCUPATION OF CROWN LANDS TO THE UNDER SECRETARY FOR FINANCE AND TRADE.

Occupation of Lands,
Sydney, 6 December, 1872.

SIR,

I am directed to inform you that Mr. Charles Brady has been permitted to occupy, on sufferance, a portion of land on the Tweed River, in the parishes of Berwick and Terranora, for the purpose of silk culture, at a nominal rental of 1s. per annum, payable in advance, in the usual way.

Mr. Brady has been directed to pay into your hands the sum of one shilling, being rent for the ensuing year, and I have the honor to request that I may be favoured with a report when such payment shall have been made.

I have, &c.,
A. O. PRETIOS,
Officer in Charge.

No. 17.

TREASURY RECEIPT.
New South Wales.

No. 21,845.

The Treasury, 6 December, 1872.

RECEIVED from Charles Brady, *per* A. O. Pretious, the sum of one shilling, rent of portion of land on the Tweed River, for year 1873.

THOMAS BAIN,
pro Treasurer.

No. 18.

THE OFFICER IN CHARGE OF OCCUPATION OF CROWN LANDS TO MR. C. BRADY.

Occupation of Lands,
Sydney, 7 December, 1872.

SIR,

The Under Secretary for Finance and Trade having reported the payment of the sum of one shilling, by way of acknowledgment, for rent for the period from the 1st January to 31st December, 1872, of the land permitted to be leased by you for the purpose of silk culture, at Terranora, Tweed River, a description of which is hereto annexed, I have the honor to hereby convey to you the necessary authority for the occupation thereof, subject to the existing laws and regulations relating to Crown Lands.

The lease will be for the period of five years from 1st January next, and will confer no right to purchase the land.

I have, &c.,
A. O. PRETIOS,
Officer in Charge.

[Enclosure.]

DESCRIPTION.

About 1,280 acres. County of Rous, parishes of Berwick and Terranora: Commencing at the north-east corner of portion 4, parish of Terranora; and bounded thence on the south by the northern boundary of that portion and its westerly continuation, being in all a line about $\frac{3}{4}$ of a mile; on the east by the northerly continuation of the west boundary of portion 22, parish of Berwick, bearing south to the north-west corner of that portion, thence by a village reserve westerly to portion 16, thence by part of the east boundary of that portion northerly to the north-east corner of that portion, and thence by the northern boundaries of that portion and portion 17 westerly to the north-west corner of the latter portion; on the west by a line northerly about $1\frac{1}{2}$ mile; on the north by a line dividing it from portions 32, 31, and 30, parish of Berwick, and from portions 21 and 35, parish of Terranora, bearing east about $1\frac{1}{4}$ mile; and on the east by the west boundary of E. C. J. Marks' 320 acres and its southerly continuation, being in all a line bearing south about $1\frac{1}{2}$ mile to the point of commencement.

No. 19.

GAZETTE NOTICE.

Occupation of Lands,
Sydney, 13 December, 1872.

Lease for a Special Object.

It is hereby notified, for public information, that the undermentioned person has been permitted to lease the portion of Crown Land specified in the annexed schedule, for the purpose of silk culture.

2. The lease will convey no right of purchase of the land.

A. O. PRETIOS.

Name of applicant for Lease.	Situation of Land.	Area.	Date of commencement of Tenure.	Term of Lease.	Annual Rent by way of acknowledgment.
Charles Brady	On Tweed River, county of Rous, parishes of Berwick and Terranora.	About 1,280 acres.	1st January, 1873...	31st December, 1877	£ s. d. 0 1 0

No. 20.

No. 20.

MINUTE OF THE OFFICER IN CHARGE OF THE OCCUPATION BRANCH.

See No. 23.

I BEG to recommend for the approval of the Honorable the Minister that portion of land described in the accompanying notice should be temporarily reserved from sale, under the provisions of the 4th section of the "Crown Lands Alienation Act of 1861," for the purpose of silk culture.

A.O.P., 20 December, /72.

Approved.—J.S.F., 3/1/73.

No. 21.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Occupation of Lands,

Sydney, 21 December, 1872.

See No. 23.

IT is recommended to His Excellency the Governor and the Executive Council that the portion of land described in the accompanying notice be temporarily reserved from sale, under the provisions of the 4th section of the "Crown Lands Alienation Act of 1861," for the purpose of silk culture.

JAMES S. FARNELL.

Clerk of the Executive Council.—A.O.P., B.C., 6 January, 1873.

See No. 23.

The Executive Council advise that the portion of land herein described be temporarily reserved from sale for the purpose specified in terms of the 4th clause of the "Crown Lands Alienation Act of 1861."

—ALEX. C. BUDGE, Clerk of the Council.

Min. 73/3, 11/1/73. Confirmed, 20/1/73. Approved.—H.R., 21/1/73.

No. 22.

MR. C. BRADY TO THE OFFICER IN CHARGE OF OCCUPATION OF LANDS.

Manly, 30 January, 1873.

SIR,

With reference to the lease to me of about 1,280 acres, parishes Berwick and Terranora, County Rous, dated December, 1872, the lease being a special and not an ordinary lease, the ground may reasonably be supposed exempt from intrusion; but as it is expedient to avoid all doubt or question and the prejudicial effects of interference of strangers, it would be well that official intimation should be given that the ground is not open to timber licenses or others. I have the honor therefore to request you will be good enough to ask the Honorable the Minister for Lands for directions on the subject.

I have, &c.,

CHARLES BRADY.

Before notifying this reserve perhaps it may be well to add the condition that it shall be exempt from the operation of timber licenses, &c.

Executive authority would, I believe, be necessary.—E.O'D., 1 Feb., /73.

Notify and re-submit subsequently as to this letter.—A.O.P., 4/2/73.

No. 23.

GAZETTE NOTICE.

Occupation of Lands,

Sydney, 5 February, 1873.

Reserve from Sale for Silk Culture.

HIS Excellency the Governor, with the advice of the Executive Council, directs it to be notified, that in pursuance of the provisions of the 4th section of the "Crown Lands Alienation Act of 1861," the land specified in the schedule appended hereto shall be reserved from sale for silk culture.

JAMES S. FARNELL.

About 1,280 acres, county of Rous, parishes of Berwick and Terranora: Commencing at the north-east corner of portion 4, parish of Terranora; and bounded thence on the south by the northern boundary of that portion and its westerly continuation, being in all a line about $\frac{3}{4}$ mile; on the east by the northerly continuation of the west boundary of portion 22, parish of Berwick, bearing south to the north-west corner of that portion; thence by a village reserve bearing westerly to portion 16; thence by part of the east boundary of that portion, northerly, to the north-eastern corner of that portion; and thence by the northern boundaries of that portion and portion 17, bearing westerly to the north-west corner of the latter portion; on the west by a line northerly about $1\frac{1}{2}$ mile; on the north by a line dividing it from portions 32, 31, and 30, parish of Berwick, and from portions 21 and 25, parish of Terranora, bearing east about $1\frac{1}{4}$ mile; and on the east by the west boundary of E. C. J. Marks' 320 acres and its southerly continuation, being in all a line bearing south about $1\frac{1}{2}$ mile to the point of commencement.

No. 24.

MEMO. OF OFFICER IN CHARGE OF OCCUPATION OF CROWN LANDS.

No. 23.

I BEG to recommend, for the approval of the Honorable the Minister for Lands, that the portion of land specified in the accompanying notice, which has been already reserved from sale for silk culture, be also specially exempted from the operation of licenses issued under the Regulations of 14th December, 1866.

Approved.—J.S.F., 20/2/73.

A.O.P., 10 Feb., 1873.

No. 25.

13

No. 25.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Occupation of Lands,
Sydney, 10 February, 1873.

It is recommended to His Excellency the Governor and the Executive Council that the portion of land specified in the accompanying notice, which has been already reserved from sale for the purpose of silk culture, be also specially exempted from the operation of timber and other licenses issued under the Regulations of 14th December, 1866. See No. 26.

JAMES S. FARNELL.

Clerk of the Executive Council.—A.O.P., B.C., 26 February, 1873.

The Executive Council advise that the land herein referred to, which has been temporarily reserved from sale, be also specially exempted from the operation of timber and other licenses issued under the Regulations of 14th December, 1866.—ALEX. C. BUDGE, Clerk of the Council.

Min. 73/10, 3/3/73. Confirmed, 3/3/73.

Approved.—H.R., 18/3/73.

Forwarded to the Surveyor General for charting.—A.O.P., B.C., 2 April, 1873.

Charted in the county of Rous. Mr. Surveyor Donaldson and Licensed-Surveyor Barling informed.

The papers to be returned to the Occupation Branch after informing the land agent.

A copy of the notice of the 28th of March, 1873, appeared in the *Gazette* of the 4th instant.— See No. 26.
G. LEWIS, /73.A tracing showing the position of the land for silk culture in the county of Rous, notified 28th of March, 1873, is enclosed, and should be forwarded for the information of the Land Agent at Tweed River See No. 14.
District.—J. ELLIS, for Surveyor General.

Under Secretary for Lands, Surveyor General's Office, 7 April, 1873.

Occupation of Lands, 30 April, 1873.

No. 26.

GAZETTE NOTICE.

Occupation of Lands,
Sydney, 28 March, 1873.*Reserve from Sale for Silk Culture.*

HIS Excellency the Governor, with the advice of the Executive Council, directs it to be notified that, in pursuance of the provisions of the 4th section of the "Crown Lands Alienation Act of 1861," the land specified in the schedule appended hereto shall be reserved from sale for silk culture, and also specially exempted from the operation of timber and other licenses issued under the Regulations of 14th December, 1866.

J. S. FARNELL.

About 1,280 acres, county of Rous, parishes of Berwick and Terranora: Commencing at the north-east corner of portion 4, parish of Terranora; and bounded thence on the south by the northern boundary of that portion and its westerly continuation, being in all a line about $\frac{3}{4}$ mile; on the east by the northerly continuation of the west boundary of portion 22, parish of Berwick, bearing south to the north-west corner of that portion; thence by a village reserve bearing westerly to portion 16; thence by part of the east boundary of that portion northerly to the north-eastern corner of that portion; and thence by the northern boundaries of that portion and portion 17, bearing westerly to the north-west corner of the latter portion; on the west by a line northerly about $1\frac{1}{2}$ mile; on the north by a line dividing it from portions 32, 31, and 30, parish of Berwick, and from portions 21 and 35, parish of Terranora, bearing east about $1\frac{1}{4}$ mile; and on the east by the west boundary of E. C. J. Mark's 320 acres, and its southerly continuation, being in all a line bearing south about $1\frac{1}{2}$ mile, to the point of commencement.

This is in lieu of notice of the 7th February last.

No. 27.

THE OFFICER IN CHARGE OF OCCUPATION OF CROWN LANDS TO THE COMMISSIONER OF CROWN LANDS,
NEW ENGLAND, CLARENCE, AND MACLEAY.Occupation of Lands,
Sydney, 2 April, 1873.

SIR,

I have the honor to direct your attention to the Gazette notice of the 28th ultimo, pro-no. 26. claiming a reserve for silk culture at Terranora, County of Rous, which is specially exempt from the operation of licenses issued under the Regulations of 14th December, 1866.

I have, &c.,

A. O. PRETIOUS,
Officer in Charge.

No. 28.

14

No. 28.

THE OFFICER IN CHARGE OF OCCUPATION OF CROWN LANDS TO CONSTABLE LUKE TORPY.

Occupation of Lands,
Sydney, 2 April, 1873.

SIR,

No. 26.

I have the honor to direct your attention to the Gazette notice of the 28th ultimo, proclaiming a reserve for silk culture at Terranora, County of Rous, which is specially exempt from the operation of licenses issued under the Regulations of the 14th December, 1866.

I have, &c.,
A. O. PRETIOUS,
Officer in Charge.

No. 29.

THE OFFICER IN CHARGE OF OCCUPATION OF CROWN LANDS TO MR. C. BRADY.

Occupation of Lands,
Sydney, 2 April, 1873.

SIR,

No. 22.

No. 26.

Referring to your letter of the 30th January last, I have the honor to direct your attention to the notice in the *Government Gazette*, dated 28th ultimo, under which the reserve for silk culture at Terranora is specially exempted from the operation of timber licenses issued under the Regulations of 14th December, 1866.

I have, &c.,
A. O. PRETIOUS,
Officer in Charge.

No. 30.

THE UNDER SECRETARY FOR LANDS TO THE AGENT FOR THE SALE OF CROWN LANDS, TWEED RIVER.

Department of Lands,
Sydney, 30 April, 1873.

SIR,

For description
alluded to see
No. 26.
For tracing see
No. 14.
No. 26.

I am directed to transmit, herewith, for your information, a description, with a tracing, showing a portion of land in the parishes of Berwick and Terranora, in the County of Rous, which by notice in the *Government Gazette* of the 28th March, 1873, has been reserved from sale, under the 4th section of the "Crown Lands Alienation Act," for silk culture.

I have, &c.,
T. H. JOHNSON,
For the Under Secretary.

No. 31.

MR. C. BRADY TO THE MINISTER FOR LANDS.

Antony, Tweed River, N.S.W., *via* Brisbane,
1 May, 1874.

SIR,

In reference to explanations made to you in person on the subject, and in view of the expediency of improvising means by which settlers and others in the interior may be encouraged to give attention to the rearing of silkworms as a part of ordinary agricultural operations suited to the Colony, I have the honor to suggest that portions of land should be dedicated as nurseries for instruction in silk and agricultural purposes in general in connection with recognized Public Schools. I would submit that the Government should afford favourable consideration to applications from local school boards, teachers of schools, or from other persons for suitable portions of land where such may be available in reasonable proximity to the schools; and that the school teachers should have the first option of taking control of the land so dedicated, and that whatever benefit might be derived from the use of the land should belong to the teacher, the land itself and all improvements thereon of course remaining public property pertaining to the school. I have no doubt that in many places a few public spirited and liberal individuals may be found in each locality who would contribute and furnish the small amounts that would be necessary in fencing and improvements to form plantations large enough to grow leaf sufficient to produce a useful result in silk or in silkworm grain.

Plantations or nurseries found in this way would necessarily greatly facilitate the acquisition of this new source of income to individuals and benefit to the colony. The plantations once formed would be a ready recourse for settlers in the neighbourhood.

I have only further to say, that should my suggestion meet with acceptance I am quite willing to furnish from my own nurseries the first hundred applicants with mulberry plants or cuttings of proper sorts for silk purposes to stock one hundred plantations free of cost.

I have, &c.,
CHARLES BRADY.

THERE is no power contained in the Crown Lands Alienation Act that will permit the Government to dedicate land for the purpose herein mentioned.—J.S.F., 4/5/74.

The object is a good one, but it cannot be done.—J.S.F.

No. 32.

No. 32.

THE UNDER SECRETARY FOR LANDS TO MR. C. BRADY.

Department of Lands,
Sydney, 6 May, 1874.

SIR,

In reference to your letter of the 1st instant, suggesting that portions of land should be dedicated as nurseries for instruction in silk and agricultural purposes in general, in connection with recognized Public Schools, I am directed by the Minister for Lands to inform you that there is no power contained in the "Crown Lands Alienation Act of 1861" that will permit the Government to dedicate land for the purpose therein mentioned.

I have, &c.,
W. W. STEPHEN.

No. 33.

T. BAWDEN, Esq., M.L.A., to THE MINISTER FOR LANDS.

Sydney, 19 April, 1875.

SIR,

I do myself the honor to transmit herewith a petition from certain residents upon the Tweed River, relative to certain land in the occupation of one Mr. Charles Brady. Requesting that the petition may receive your early attention,

I have, &c.,
T. BAWDEN.

[Enclosure.]

To the Honorable the Secretary for Lands.

The humble Pétition of the free-selectors, landholders, and inhabitants of the Tweed River,—

Showeth:—

That your Petitioners, when they took up their land on this river, had either to fully pay for it at the rate of £1 per acre, or, if conditionally purchased, they had to pay down on selection 5s. per acre, and at the expiration of three years from date of selection have had to pay interest on the balance of the purchase money (15s. per acre) at the rate of 5 per cent. per annum, besides having had to make improvements to the value of £1 per acre, and in other respects comply with the present Land law.

That your Petitioners are, many of them, engaged at their own risk in the cultivation of sugar, and other agricultural products of a tropical and semi-tropical nature,—comparatively new and untried industries in the Colony.

That your Petitioners have never asked nor received from the Government any gift, either of land or money, by way of bonus or compensation, for the risk they ran in their endeavour to establish the abovenamed industries.

That your Petitioners do not believe they would have been justified in asking, or the Government justified in granting, any such bonus or compensation, such being, in their opinion, utterly at variance with the true principles of sound and industrial development, free trade, common justice, and fair play, to the different industries and interests growing up in the Colony, and only calculated to foster the growth of unnatural, unhealthy, ill-considered, and reckless schemes and enterprises in the Colony.

Your Petitioners therefore view with dissatisfaction, deep regret, and as a piece of undue favouritism, the reservation from sale of twelve hundred and eighty acres of some of the richest land on the Tweed River, and in direct contravention of the Land laws of the Colony, and without stipulating for the fulfilment of any conditions whatever, and at a mere nominal rent the handing over of the aforesaid twelve hundred and eighty acres of land to Charles Brady, under the pretence of encouraging sericulture,—an object which your Petitioners, from their knowledge of the man, consider Brady most unlikely ever to carry out, even were there any probability of the industry eventually becoming a paying one in this Colony, of which your Petitioners entertain very grave doubts indeed.

The improvements already made by Brady on the land are considerably under the value of one hundred pounds. There are, at present, no improvements going on on the land, Brady having been absent from the Tweed River for about twelve months.

Your Petitioners therefore most earnestly pray that the aforesaid reserve of twelve hundred and eighty acres may no longer be permitted to retard the progress of settlement and improvement on this river, but that it may at once be revoked, and the land thrown open for settlement, either by free selection or by purchase, in accordance with our Land laws.

And your Petitioners will ever pray.

[Here follow eighty-five (85) signatures.]

This case appears to have been dealt with in the Occupation Branch.

The reserve referred to in this petition was made by Gazette notice of 28 March, 1873.—4/5/75. See No. 26.

Submitted—The prayer of the Petitioners is that the reserve may be revoked.—L.S.T., 4/5/75.

Submitted—The matter has been under the present cognizance of the head of the Government when previously in office.—A.O.M., 5/5/75.

Have a report obtained as to progress made by lessee in improvement on the land, or in the purpose for which the lease was granted.—T.G., 1/6/75.

A report has been called for as to the fulfilment of the objects of the case; when that is obtained inform Mr. B.—T.G., 3/6/75.

No. 34.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS, TO THE CROWN BAILIFF, TWEED RIVER.

Occupation of Lands,
Sydney, 10 June, 1875.

SIR,

I have to request that you will favour me, for the information of the Secretary for Lands, with a report as explicit as possible as to the progress, nature, and value of the improvements made by Mr. Charles Brady on the reserve of 1,280 acres at Terranora, Tweed River, leased to him for the purpose of silk culture.

I am, &c.,
A. O. PRETIIOUS,
Officer in Charge.

Forwarded

Forwarded through the Inspector General.—A.O.P., B.C., 10/6/75.

Supt. Orridge.—E.F., I.G.P., 14/6/75.

Sub-Inspr. Creaghe.—J. W. ORRIDGE, Supt., 16/6/75.

Constable Torpy will report fully on this matter.—RICHARD CREAGHE, Sub-Inspr., 21/6/75.

Constable Torpy, Tweed River.

No. 35.

CONSTABLE TORPY to THE OFFICER IN CHARGE, OCCUPATION OF LANDS.

Police Station, Tweed River,
17 July, 1875.

CONSTABLE Luke Torpy begs to report, for the information of the officer in charge of Occupation of Lands, Sydney, that there is no improvements of any description made by Mr. Charles Brady on the reserve of 1,280 acres at Terranora, Tweed River, leased to him for the purpose of silk culture.

LUKE TORPY,
Constable.

For the Inspector General's information.—J. W. ORRIDGE, Supt., 31/7/75.

The officer in charge, Occupation Branch, Dept. of Lands.—E.F., I.G.P., B.C., 3 August, 1875.

Advise Mr. Brady of the purport of this report. I assume that he has abandoned his intention, and that therefore the land may be resumed by the Government.—A. O. PRETIUS.

No. 36.

A. O. PRETIUS to THE OFFICER IN CHARGE, OCCUPATION OF LANDS.

Occupation of Lands,
Sydney, 28 October, 1875.

SIR,

The Crown bailiff having reported that you have made no improvements of any description on the reserve of 1,280 acres at Terranora, Tweed River, leased by you for the purpose of silk culture, I assume that you have abandoned your intentions, and that therefore the land may be resumed by the Government.

I have, &c.,
A. O. PRETIUS,
Officer in charge.

[Three plans.]

Enclosure to N^o 5.

Appendix A.

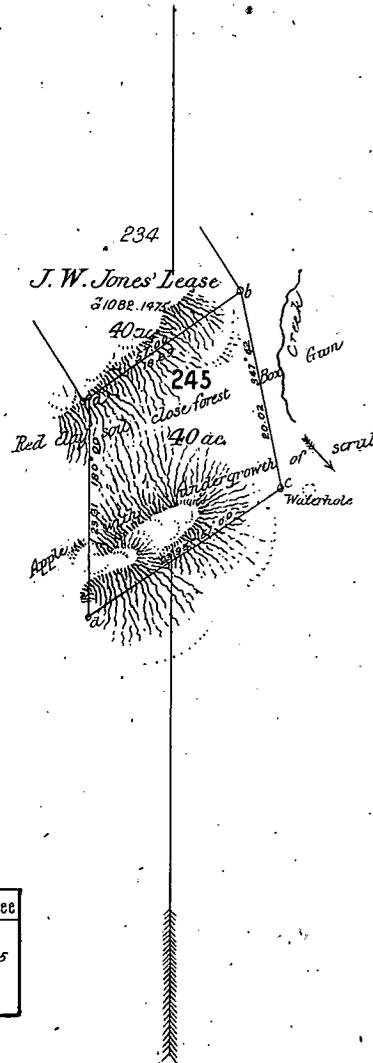
TRACING

of portion 245

Parish of Albury,
COUNTY OF GOULBURN.

Applied for under lease for Sericultural purposes by Fanny Jones.

SCALE, 20 CHAINS TO AN INCH.



Reference to Corners.

Corner	Bearing	From	Links	N ^o on Tree
a	stake, f.c.			245
b	127° 35'	Apple	27	234-245
c	206° 10'	do	62	245
d	stake, f.c.			245

Date of Survey, 9th March, 1875.

Transmitted to the Surveyor General, 5th May 75. N^o 75/30.

(signed) Henry Berry, I.S.

Enclosure to N^o 4.

Appendix B

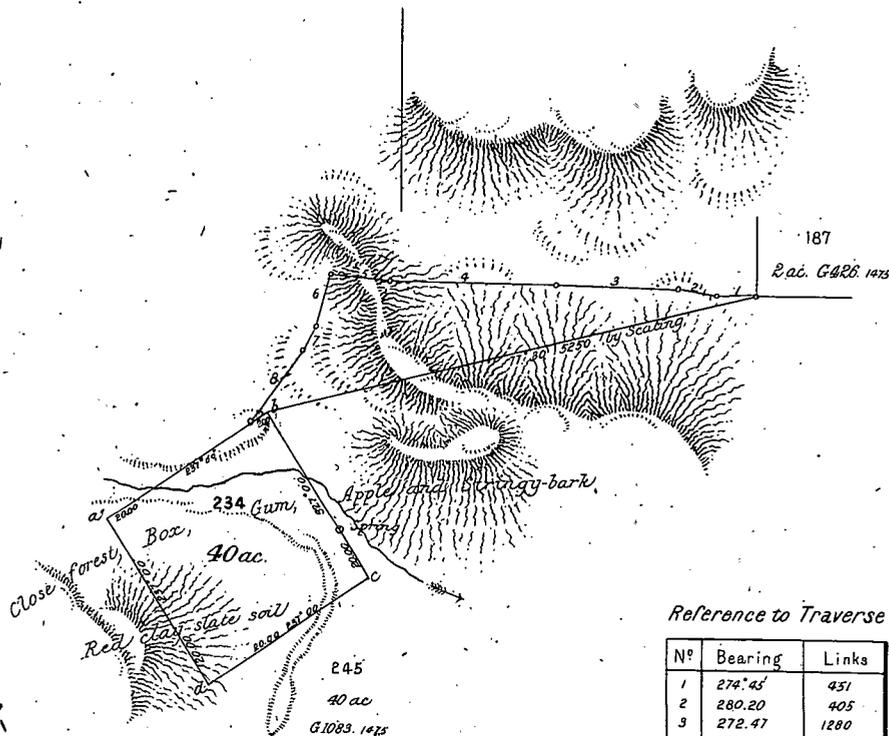
TRACING

of portion 234

Parish of Albury,
COUNTY OF GOULBURN:

Applied for by John Walker Jones, Esq. for Sericultural purposes.

SCALE, 20 CHAINS TO AN INCH.



Reference to Traverse

N ^o	Bearing	Links
1	274.45	451
2	280.20	405
3	272.47	1280
4	271.46	1697
5	278.09	626
6	199.40	566
7	206.28	260
8	215.43	300

Reference to Corners.

Corner	Bearing	From	Links	N ^o on Tree
a	243.37	Box	39	237
b	100.35	"	30	"
c	127.36	Apple	27	"
d		stake and lockspil		

Date of Survey, February, 1875.

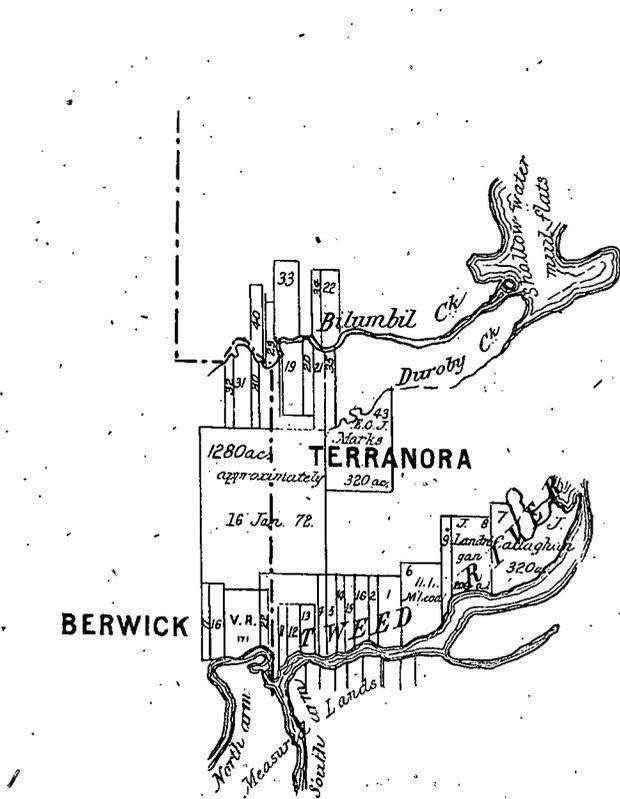
Transmitted to the Surveyor General, with my letter 75.29.5. May, 75.

(signed) Henry Berry, I.S.

(Sig 405)

PART OF COUNTY OF ROUS.

Scale, 2 miles to an inch.



REFERENCE

to portions less than 100 acres.

Parish of Berwick					
N ^o	Name	C.P.	a.	r.	p.
16	H. Skinner	C.P.	60	"	"
17	"	"	40	"	"
22	M. Logan	"	40	"	"
30	G. Wells	"	40	"	"
31	"	"	80	"	"
32	"	"	40	"	"
Parish of Terranora					
1	James Bray	C.P.	100	"	"
2	R. W. Croker	"	57	"	"
3	Mary M'Leod	"	40	"	"
4	H. Daig	"	50	"	"
5	"	"	50	"	"
9	J. Landrigan	"	49	"	"
11	Mary M'Leod	C.P.	40	"	"
12	"	C.P.	48	"	"
13	J. Dinsey	"	42	"	"
14	H. Daig	"	40	"	"
15	J. Ritchie	"	39	"	"
18	R. H. Graham	"	63	"	"
19	M. C. M'Dermott	"	100	"	"
20	"	"	50	"	"
21	H. Caddy	"	60	"	"
22	P. Dunne	"	80	"	"
23	J. Fahey	"	40	"	"
25	W. H. Parish	"	100	"	"
34	P. Dunne	"	40	"	"
35	H. Caddy	"	40	"	"
40	A. Wallis	"	60	"	"

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SILK CULTURE.

(PAPERS, &c.)

Ordered by the Legislative Assembly to be printed, 27 June, 1876.

FURTHER and Final Return to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated 29 June, 1875, That there be laid upon the Table of this House,—

“Copies of all Correspondence and Minutes in possession of the Government, not already laid upon the Table of the House, relating to Silk culture.”

(*Mr. Baker.*)

SILK CULTURE.

I.—Correspondence with Colonial Secretary.

NO.	SCHEDULE.	PAGE.
1.	Mr. Brady to Colonial Secretary. 26 June, 1872.....	2
2.	Ditto to Principal Under Secretary. 2 September, 1872.....	2

No. 1.

MR. C. BRADY TO THE COLONIAL SECRETARY.

Curl Curl,
Manly, 26 June, 1872.

SIR,

I have the honor to annex a *précis* of my correspondence with the late Administration in reference,—

- 1st. To a proposal for the Government to take measures to make silk a staple production of the Colony.
- 2nd. To that part of the correspondence by which the late Government authorized me to select 1,280 acres of land to be reserved and leased to me. This authority I duly acted upon and reported my selection, but from some unassigned reason the late Government has withheld completion of the necessary preliminaries to allow me to proceed to occupation. The delay has been and is a serious impediment to me.

The very valuable and unique collection, comprising many species and varieties of silkworms introduced by me and acclimatized by years of labour and expense, which might have been the foundation of material prosperity to many families and also of a new as well as important export, has been greatly reduced and may even be lost as you may perceive by the statements in the correspondence itself.

The season for active operations being soon about to begin, I have to urge that it is desirable, both on public grounds (if my stock is to be retained in the Colony) and for my own personal relief from uncertainty and from the costs of delay, that the matter should have speedy consideration.

I beg therefore to ask as a favour that the promise made to me by the late Government may have your early attention.

I have, &c.,
CHARLES BRADY.*Précis of Correspondence relative to grant of land.*

- Sept. 12, Oct. 31, Nov. 4, 1870.—Introductory.
 - Nov. 21, 1870.—Formal authority from the then Minister (Mr. Robertson) for me to select 1,280 acres to be reserved and leased to me.
 - Feb. 11, 1871.—From me, giving particulars of selection and requesting sanction to occupy.
 - Feb. 13, 1871.—Letter from the new Minister (Mr. Wilson), stating that he cannot recommend a larger area than 320 acres.
 - Feb. 14, 1871.—From the same to the same purport.
 - Mar. 2, Mar. 30, 1871.—From me, explaining the arrangement made with me by the Government of the day, and the serious inconvenience to me of a deviation therefrom.
 - April 5, 1871.—Reply of the Minister, declining to allow reserve of more than the reduced area of 320 acres.
- Besides the above a Parliamentary Paper, "Correspondence relating to Silk, 1870," and others, give a general view of the whole subject, which other papers in the Colonial Secretary's Office and in the office of the Secretary for Lands render complete.

CHARLES BRADY.

No. 2.

MR. C. BRADY TO THE PRINCIPAL UNDER SECRETARY.

Curl Curl, Manly,
2 September, 1872.

MY DEAR SIR,

Will you be good enough to place the enclosed slips before Mr. Parkes; they contain information (some of it not published) which I think he would be pleased to have brought to his notice.

I wrote Mr. Parkes (26th June last), I should be glad he would take into consideration the matter of that letter. If it would be agreeable to him to see our Colonial specimens of cocoons and the first raw silk ever produced in the Colonies (both my own) and to have a *viva voce* explanation of them, pray let me know when it may be convenient for him to see me for that purpose.

I am, &c.,
CHARLES BRADY.

[Enclosures]

[Enclosures to foregoing.]

(1st.)

Extract from *Town and Country Journal*, 10 August, 1872.

THE SILK CROP IN EUROPE.

THE season in France has been a seriously disastrous one on account of the severe weather, long continued rain and cold winds, following on a very early spring and mild winter, has made great havoc universally in all the silk-growing districts. The seed from Japan, which last year was remarkably good and exceptionally well saved, and of which the quantity from that country alone exceeded the enormous aggregate of 1,300,000 cocoons, appears to have offered the only chance of obtaining any result in silk. The early distributed cocoons, owing to the warmth of the winter and early spring, suffered material injury, and but from the excessive liberality of the supply of cocoons no cocoons of any appreciable value could have been obtained. However, the losses occurred so early and the first worms hatched perished so universally, that there was a very general feeling to renew the effort; and fortunately, notwithstanding the severity of the season, a moderately good result ensued. All the French reared seed of last season proved bad, and the stock was entirely lost from the combined effects of the disease and bad weather. The European races, the most valuable of all, and which owing to the success of last year afforded well-grounded hopes of a certain amount of success, were very disappointing, and perished to the fullest extent experienced in the worst years.

The French seem imbued with the conviction that they must mainly rely upon imported grain, and although their chief supply is at present from Japan, the cocoon of that variety is at best so inferior to the indigenous European races it is with the utmost reluctance they can be induced to purchase the Japanese grain; although unfortunately they have no choice. Hence the avidity with which they purchased some grain sent from Sydney, New South Wales, the produce of the Colony, at a highly remunerating price. Unfortunately the quantity sent, amounting to barely 100 ounces, was inadequate to meet the demand; but an order has been received by this mail for as many thousand ounces of a particular variety as can be forwarded for the next season.

(2nd.)

Extract from *Town and Country Journal*, 17 August, 1872.

RESULTS OF LAST SEASON'S SILK CROP IN EUROPE.

IN a late issue we gave in general terms intelligence received by last mail of the results of the last season's rearing of silkworms in France, and made particular reference to the fortunate circumstance (fortunate indeed, considering that more than a million of persons are mainly dependent on the silk crop for their means of support, trade, and manufacture) of an abundant supply of silkworm seed from Japan, which alone had saved the season's crop from proving an absolute and total failure.

In Italy the weather had been equally bad; but the Italians do not appear to have been so strongly prejudiced as the French against Japanese grain; on the contrary, for several years imported grain has been in vogue, and the Italians liberal in their dealings with the Japanese. The prices paid by Italian merchants and farmers for grain has always ruled much higher than those paid by the French rearers; hence the Italians generally obtained the choicest seed, while the French peasantry, more parsimonious or less alive to the importance of a timely provision of brood stock of superior quality, were less careful. A similarly bad season in both countries, France and Italy, made the character and tendency of the two practices very conspicuous, for although owing to the generally excellent quality of last year's Japanese seed, the French ultimately obtained a moderate crop from their efforts (renewed after the loss of the first rearings); the Italians have secured what may be reckoned a good crop—to the difference in quantity must be added the difference in quality, both tending to material advantage; thus the larger proportionate yield, which may perhaps be estimated at 20 per cent., and the enhanced price obtained equal on an average, possibly of 15 per cent. advance on French prices, have clearly demonstrated the wisdom and economy of using the best seed procurable even though the cost may be relatively high.

On the whole the Italian crop has again this season been derived chiefly from Japanese grain; but the losses on the European races have been less complete than in France; the quantity of the latter reared bears no comparison to that from seed of Japanese origin—in all the filatures but few cocoons are seen unless of the inferior kind.

Many of our readers have from time to time asked us the value of cocoons; we are glad now to be in a position to afford them the actual quotations of prices realised for this crop in Italy as well as in France.

Reduced to English weight in lbs. and to English money in shillings and pence, prices appear to have ruled according to quality, condition, and about as follows for cocoons:—

	Ordinary.		Fair.		Good.	
	s.	d.	s.	d.	s.	d.
In France	1	9	2	0	2	4 to 2 6
In Italy	2	1	2	3	2	6 to 2 10

These were about the average prices paid in open market, and have no reference to contract dealings; they were considered very remunerative, as the prices of mulberry leaf had been moderate and the supply sufficient.

It must be understood that a pound means a pound weight (in Italy weighed by the public weigher) of cocoons just as completed by the worms and taken fresh from the "bush" or "wood," loose, not dried and not crushed. Generally a large lot of one quality or description realises a somewhat higher figure than is given for a small lot otherwise equally good. The highest price seems to have been equal to about 3s. per pound for superior lots. A quantity (one day's marketing), equal to nearly 15,400 pounds English, from the nurseries of the distinguished Italian Statesman, Baron Ricasoli, netted over £2,400 sterling.

It may perhaps be desirable to explain that the above prices for cocoons represent a return per acre from mulberry-trees of from £60 to £140, according to their age and growth. Good management has of course much to do with the result; but there is nothing in the circumstances surrounding the cultivation of the mulberry and the production of silk to prevent any intelligent and industrious settler in this Colony undertaking the pursuit with every prospect of success.

(3rd.)

PRACTICAL SILK CULTURE.

(By Charles Brady, F.L.S.)

No. 1.

FACTS and figures for the guidance alike of producers, traders, and consumers, are the foundation or starting point of all sound progress in every department of industry. Here in Australia we have felt that as regards the growth of silk and its suitability to the circumstances of our landowners, squatters, or settlers, we have hitherto experienced material impediment; an earnest undertaking by other than a very limited number of this new, though admittedly valuable, yet little comprehended industry, is impracticable; we have had nothing reliable to guide us; people want to know before they begin what to look for. First, what return may be expected from a certain outlay either in labour or in money, or of both combined; second, when or in how long a time after expenditure the return may be looked for; third, the cost and preparation requisite both in forecasting operations and in carrying on during the period of growth and production. It is also necessary for an intending cultivator to be assured beforehand that there exists a source from which may be procured proper plants to propagate, and also the right kinds of silkworms to rear; in short, the food for its sustenance and the brood stock itself, which, united, form the elements wherewith to work, elements indeed which even while growing (the plantation in particular) would constitute in fact property of considerable value. To these items we must add that the farmer must have reasonable prospect that his crop when produced will find a ready market available.

We purpose to deal with these and other questions bearing on the subject in such a practical manner that every reader of the *Town and Country* of ordinary intelligence, and of either sex, may gain the knowledge necessary for their guidance to enable them to rear silkworms with a view to profit. In

In the present article we confine ourselves to a few notes of a general character in continuation of statements which have already appeared in this journal, and which will subserve the purpose of a rough general indication of the scope and value of the silk industry in Europe.

There is great difficulty in procuring reliable statistical information; though some useful returns have been made they are not only very partial and incomplete in themselves but many material matters are altogether omitted. This is particularly the case in France—a country where the silk industry has flourished for centuries, and where the national instinct is to “organize” everything. It is very remarkable that until quite recently no reliable data have been collected, or, at any rate, officially published in France in reference to the production of silk, whether as the raw material in the shape of “cocoon,” or as a manufactured staple known as “raw silk.” The writer has had to glean from isolated facts set forth in various publications to assist in formulating a very brief statement, but he has profited by private correspondence and information derived from brokers or agents, and especially from persons engaged in the silk trade and manufacture, for certain facts and estimates. From these and similar sources we ascertain that in the year 1871 (we are now referring to France alone, to the exclusion of Italy and other countries, which may possibly form subjects for other articles) the silkworms’ eggs used as grain or seed in spring (each egg or seed being supposed to hatch into a caterpillar of that species known as “the mulberry silkworm”), the quantity in all France set to hatch is estimated to have amounted to about 550,000 (five hundred and fifty thousand) ounces English weight, of which fully 500,000 are reckoned to have been imported from foreign countries at an aggregate outlay in sterling money (including original cost, freight, and incidental charges) of some £620,000, or perhaps £630,000, while the balance, supposed to be rather less than over 50,000 ounces, represents the efforts to reproduce from local varieties raised in France during the preceding season. The number of eggs to weigh an ounce is currently understood as meaning 40,000; in point of fact this is very apt to mislead the inexperienced; the finest eggs, sound and in good condition, will perhaps yield from 35,000 to 40,000 per ounce; but when deductions are made for unfertile, weak, damaged, and dirt, the number of worms obtained from an ounce of seed is really very much smaller. On the other hand: Japanese eggs, though much smaller individually than European, say requiring proportionately to 40,000 some 45, or even up to 55,000, to actually weigh an ounce, are usually fertile, sound, and in clean condition. Taking all sorts and accidents into account, the defalcation in live worms (or to speak more correctly, worms that live over two days) hatched may be estimated at one-third of the whole for the season of which we speak. This year (1872) the defalcation is we believe materially greater owing to bad weather in spring, and also to injudicious management of the grain in winter.

The total yield of this aggregate of eggs at the end of the rearing, say at about three months after hatching, was taken to amount to about 22,500,000 (twenty-two and a half millions) of pounds English weight of cocoons. In the absence of official statistics we can only approximate an estimate of the value; but we think we shall not be materially in error if we set down 3s. 2d. (three shillings and two-pence) as the full average value of each pound of cocoons. This will bring the total return to something like £3,562,500, or over three and a half millions of pounds sterling. Thus the season’s outlay, 550,000 ounces of eggs, costing say £700,000, together with mulberry leaf, &c., and labour for three months, turned in say £3,500,000. The excessive cost of eggs, owing to the disease so often alluded to, is a serious matter now-a-days in France, where they cannot raise their own grain, especially if we reflect that in old times 5s. an ounce was considered high. Yet notwithstanding all drawbacks and discouragements we see the production, though much less than formerly, still constitutes an important fact.

Let us now consider in a very summary way what is done with the 22,500,000 lbs. of cocoons. The opinion of the writer, formed upon such data as have been within his reach, is that not less than fifteen or sixteen pounds of cocoons, such as were raised in 1871 in France, were needed in the reeling to furnish one pound of raw silk, that is silk properly reeled. Several French gentlemen of experience estimated that 13 lbs. only of cocoons would yield one of raw silk; but they were engaged in a very favourable locality, while we are dealing with averages and see fit to prefer the lesser estimate. We may mention that previously to the coming of the disease into France 11 lbs. or 12 lbs. of cocoons sufficed to reel 1 lb. of raw silk. This would afford (exclusive of foreign supplies), about 1,300,000 lbs. English weight of reeled silk, the raw material for the looms of France to transmute into their world renowned fabrics.

The value of these 1,300,000 lbs. of raw silk—the reeling alone whereof furnishes profitable employment to large numbers, thereby circulating a good deal of ready money among the laboring classes and shopkeepers—the important part the same material plays in manufacture, which again causes the distribution of immense sums in wages to workmen and workwomen—the great amount gained to France by its export—the vast influence—the industry founded substantially by the minute silkworm egg and its tiny caterpillar, exercises in the financial operations of continental Europe and Asia, are subjects replete with interest and instruction. For us Australians an extensive and practicable field is open for the creation of a new and large and lucrative export. Cocoons can we are assured be far more easily and cheaply raised here than in France; and we need be under no apprehension that it is possible to overstock the European or indeed any market for silk; practically the demand for cocoons is unlimited, and cannot be over supplied.

We must not omit the reflection that money gained for cocoons would be to us, in the Colonies, by reason that almost every grower may be assumed to be the owner of the land he cultivates, nearly all clear gain, obtained for forethought, skill, and labor; moreover, while making an income from silk the grower would necessarily permanently improve his property.

II.—Correspondence with the Colonial Treasurer.

SCHEDULE.

NO.		PAGE.
1.	Mr. Brady to Colonial Treasurer. 6 March, 1875	4
2.	Minutes of Colonial Treasurer. 9 April and 11 May, 1875	6
3.	The Under Secretary for Finance, &c., to Mr. Brady. 13 May, 1875	6

No. 1.

MR. C. BRADY TO THE COLONIAL TREASURER.

203, Macquarie-street,
6 March, 1875.

SIR,

I have the honor to hand you a memorandum written by me at the instance of Mr. Mort, the Chairman of the Silk Committee, who, at an interview with Mr. Parkes, lately Colonial Secretary, promised that some suggestions should be laid before the Government, in order that, if possible, effective steps should be taken to encourage the development of the silk industry in the Colony.

As Mr. Mort’s health precludes him from active interposition it has become necessary for me to bring the subject to your notice; this necessity I much regret on other grounds besides Mr. Mort’s weak state of health, for I am individually so much concerned in any propositions to be considered that whatever views I set forth must unavoidably be regarded as affected by selfish motives. I must therefore appeal to your candour to believe my suggestions are made with a free sense of the obligations implied on my part, and that I am moved by no undue eagerness to further my own interests, though these are of immediate importance, not only to me but to the Colony at large, by reason that the reputation and success of the first in this new industry materially affects the disposition of others to follow in the pursuit. I trust that the large amount of time and means I have outlaid, by which the public has been benefited, the information and results of investigation as well as of experience which I have freely distributed, will be deemed.

deemed fair earnest of my desire to promote the interests of my fellow colonists as far as the limited powers of one private individual would allow. I would urge you to reflect that the delays and difficulties which ever press with particular severity on the beginner of any new enterprise should be rendered as little vexatious as possible—delays do not themselves injure, but they disparage the sufferer in the estimation of people with whom reasons and explanations are impossible. The season is now at hand at which permanent improvements should be erected and cultivation extended. I have made considerable advances towards a permanent plantation on the land I hold of the Government at the Tweed, some acres having been planted, and I have a large number of trees now ready to be set out on a much larger extent of ground, from which the indigenous timber has been removed. I am also prepared, and very desirous to effect, as soon as I may be permitted, the arrangements indispensable for a hibernating establishment—a future of great value in the interests of the Colony.

I am not able in this letter to say all that may be requisite for you to be made acquainted with on a subject which opens up so many considerations, and I do not desire to repeat what has been already stated to the Government, nor can I answer by anticipation the inquiries you would doubtless make, but I am very willing to furnish you either orally or in writing with any information which you may think proper to ask.

I have, &c.,
CHARLES BRADY.

MY DEAR SIR,

I comply with your wish that I should make my own suggestions to you, with a view to obtain from Mr. Parkes a definite expression of the purpose of the Government as to the promotion of the culture of silk in this Colony. You desired me to say what I think most expedient to be done? how to do it? the cost? what I want for myself? and at the same time to reply to Mr. Parkes's remark that it is not easy for the Government to understand the present state of the case. In my estimation the difficulties of the present position lay in two circumstances: First, the entire absence of knowledge (and as a necessary consequence of experience also) of the nature of the rearing of silkworms, and of concomitant operations, as industrial arts or as commercial pursuits. Second, the absence of mulberry plantations, which are necessary as a foundation for production of silk or of silkworm grain in the Colony. Neither of these two difficulties can be successfully dealt with by the private exertions of one individual, except through a very long lapse of time. It is true that much may be gained from the original research, outlay, and study, and by the persistent efforts of one person, but it is futile to look to his spontaneous, his unsupported, and necessarily desultory exertions to overcome the inertia and indifference of the masses; systematic, general, and continuous action is wanted.

To advance the industry the most natural and rational plan is to increase the number of those whose attention can be directed to it in an earnest and right spirit by organized instruction, and, if needs be, material aid. One matter of importance in the consideration of how to foster this young industry needs, I am sorry to say, some words from me adverse to your own and to Mr. Parkes's idea about relying upon or even using the labor of orphan children (and of other labor to my taste decidedly objectionable) to start with. The labour indeed of the orphans might be educated to a limited extent at once, but I do now urge, as I have always urged, the necessity of the beginning being made by *men* and *women* of ability—by grown persons, who, if they have not at present the experience yet may have business capacity, stability of purpose, and ideas sufficiently matured to enable them to understand the force of and to act upon instructions, together with other personal advantages which would qualify them to take up the lead and open the way for themselves, as well as for others. As to the matter of labor, you are personally well aware of my strong conviction that the very best, the highest class to be had, that which *must* be the *best paid*, is and must be the cheapest, namely, the labour of brains and of skilful hands combined in one person. I have no sympathy with fancies that a new and somewhat complex art should rely, or in any serious degree depend, on the ill-considered exertions of men or women who may not even thoroughly understand what is the precise aim of their operations, much less the economical means of obtaining the aim, or on the ill-directed or undirected efforts of children; it would be as is the case sometimes with people who are "their own architects," who set to work to build without a clearly defined plan or knowledge of the capabilities of their materials, who have no clear perception as to what their building *will* be or *must* be like when done, nor of the mode of construction to ensure either convenience, or economy, or stability.

No new enterprise of general application can hope to succeed but by the countenance and support of men of intelligence and position. All new and untried objects must, to be successful, be opened out, not by those low in the social scale but by persons whose recognized status, acquirements, and abilities not only carry weight and influence, but of themselves go far to ensure success.

Having thus premised, I would suggest that the Silk Committee ask of the State to organize such a system as will bring out the capabilities of the Colony, give consistence and direction (as far as silk culture is concerned) to the vast amount of intelligence and labor power that is now altogether wasted, to awaken attention to opportunities neglected, *to make some plan practicable*.

My own impression has been and is, that by far the most effectual and expeditious mode for Ministerial action would be for our Government to do what all other Governments in similar cases have done, namely to supply to all who will voluntarily seek and receive information and instruction, especially to adults in the country, who could immediately apply to practical use the ideas they could gain by personal intercourse with some one or more persons who understand not only the various operations proper to the industry itself, but are familiar with bush ways and with bush people, as well as with the (sometimes widely differing and extended) resources of our soil, climate, &c., for silk culture. The person or persons should have opportunity to put themselves in communication on behalf of, and by authority of, the Government with people of all classes who may desire assistance, and by correspondence, or by personal intercourse on behalf of the Government, as far as may be practicable, explain and show (as in object lessons) the object to be accomplished, how, and by what means, and so on.

Some time ago I made to the Government an offer to give as a free gift from me to any body or bodies of persons who might choose to invite among themselves in their several localities (the Government providing the land) enough mulberry-trees of proper sorts to start one hundred different plantations in any parts of the Colony, from whence applications should be made. This would cost me something like 500 acres of valuable trees, which could not be procured otherwise than by purchase from me or from my friends,

friends, but which when once planted could be like a herd of milch cows for profit to those who have the sense to see it and accept my gift, for, as you are well aware, each acre of mulberry is worth at least £40 (forty pounds a year). The Government reply to this offer was simply that the present law did not allow them to dedicate land for the purpose. It was a blunder on my part to employ the word "dedicate"—"reserve" would have been better, but still it is, I think, quite feasible to effect the purpose under the present law if the parties interested or to be benefited themselves apply for such land as may be required; no doubt, as the Government is really desirous rather to remove obstacles than to allow difficulties to stand in the way of legitimate convenience to the people, the most favourable consideration would be given to any application.

What do I want for myself you ask. I answer I want land with a better title to it than a mere lease. You know, that to carry out the special requirements of a continuous production of seed grain for use in the Colonies and for export, as explained by Mr. Manning at one of your meetings, two chief needs have to be provided for. First—the peculiar out-door rearing in small lots isolated from one another and grown on separate kinds of mulberry in different localities demanding a considerable extension and range of cultivation; and second—a hibernating station, where grain specially grown as brood stock for Colonial use, as well as other grain, should be hibernated naturally in some peculiarly favourable locality, such as we have in our Australian Alps. The former is partially provided for. Experience at Automy having satisfied me that no better place could be selected, but it is objected that I have no title to the land, and consequently have no security; that I shall be able to maintain the proper successions and fulfil any contracts I may make. More than this—my friends both here and abroad insist that as the land is merely a short leasehold it is absurd for me to think of laying out money in permanent improvements; this militates against my personal credit and occasions serious practical difficulties. I cannot condescend to set forth as a claim on my part for a freehold the circumstance that in other colonies persons who have begun silk culture as a direct consequence of the information and experience gained and freely distributed by me have already been accounted worthy of public recognition and substantial reward. I have never asked for any money grant for myself, though I have suggested before, and shall conclude this letter by again suggesting that it is expedient to ask Parliament for a money grant to enable the Government to go to the aid of the country in this matter; but I may honorably say that I am fairly entitled to look to receive at the hands of the Legislature a grant of a sufficient number of acres of waste land to liberally comprise (and even more) the requirements pointed out, as an acknowledgment of my personal right and the right of this Colony to be considered the pioneers and the origin of any progress made in silk culture in any of the colonies.

I would, in conclusion, advise that, instead of an expensive and cumbersome model establishment, the Government should be moved to consider the expediency of—

1st. Apprenticing to me a select few of the orphans who now cost the public so much a year, paying me a certain equivalent.

It is true this proposal is in principle partly what I submitted before, but which was declined on the score that it would be a continuation of the "barrack system" of dealing with the children.

The objection is exaggerated, and founded on an imperfect understanding of the mode and extent in which silk farms should be conducted. However, I repeat my proposal, for I am convinced it is a proper one, and I hold myself ready to make any further explanations and discuss the matter on another occasion, if needed.

2nd. Measures to ask the Legislature to give me a grant of land.

3rd. Asking Parliament for a vote of £3,000, to be expended in two years, in affording settlers and others opportunity to acquire a knowledge of the art and practice of silk culture, as the cheapest and most effective mode of establishing the industry on a sound and durable basis.

4th. Making or permitting to be made mulberry plantations.

I am in no way wedded to my plan of creating a considerable number of plantations through the length and breadth of the Colony. I made my proposition with a view to enlist local interests and local self-exertion of individuals and communities, to avoid questions of money outlay, and to expedite growth. It is hardly possible, even if no more than a hundred different centres of production were newly created but that a very decided gain would be effected, and I should little reckon the cost to me personally of this large number of young trees, for I feel well assured that no great length of time would elapse before a substantial industry would be established. As I have said before, to make it substantial and national we must have numbers engaged.

I remain, &c.,
CHARLES BRADY.

No. 2.

MINUTES OF THE COLONIAL TREASURER.

Mr. Brady, for an early interview.—9/4/75.

I have read Mr. Brady's paper, and am not prepared to recommend the grant of money or land for the purpose he appears to have in view. W.F., 11/5/75.

No. 3.

THE UNDER SECRETARY FOR FINANCE AND TRADE TO MR. C. BRADY.

The Treasury, New South Wales,
Sydney, 13 May, 1875.

SIR,

With reference to your letter of March last to the Colonial Treasurer, I have the honor to state that Mr. Forster, after a perusal of the statements you have submitted, is not prepared to recommend the grant of land or money for the purpose you appear to have in view.

I have, &c.,
G. EAGAR.

III.—Correspondence with Secretary for Lands.

1ST SCHEDULE of Correspondence relative to the application of Mr. H. B. Macintosh for 640 acres of land in the parish of Southampton, county of Clarence, for Sericultural purposes.

NO.	PAGE.
1. H. B. Macintosh to Minister for Lands, applying to lease 640 acres of land, situated about 12 miles above Grafton, on the right bank of the Clarence River, for the purpose of silk culture; with minutes thereon. Plan attached. 30 November, 1872	7
2. Mr. Surveyor J. R. Donaldson to Surveyor General, reporting on above application; with minutes thereon. 8 March, 1873	7
3. Officer in charge of Occupation of Lands to Mr. H. B. Macintosh, in answer to No. 1. 28 March, 1873	8
4. Mr. H. B. Macintosh to Officer in charge of Occupation of Lands, offering annual rental of £10 for the lease of said land; with minutes thereon. 18 April, 1873	8
5. Officer in charge of Occupation of Lands to Mr. H. B. Macintosh, that he will be permitted to occupy the Reserve in question on sufferance at the rental offered. 5 May, 1873	8
6. Same to Under Secretary for Finance and Trade, apprising him of the fact. 5 May, 1873	8
7. H. B. Macintosh to Officer in charge of Occupation of Lands, in reference to No. 5; with minutes thereon. 23 May, 1873	9
8. Officer in Charge of Occupation of Lands to Mr. H. B. Macintosh, conveying necessary authority for the occupation of the land. 18 June, 1873	9
9. Officer in charge of Occupation of Lands to Land Agent, Grafton, informing him that Mr. H. B. Macintosh has been permitted to occupy on sufferance the land for the purpose required. 18 June, 1873	9
10. Mr. H. B. Macintosh to Officer in charge of Occupation of Lands, inquiring if he can transfer his right to occupy the land to another; with minutes thereon. 25 July, 1873	9
11. Officer in charge of Occupation of Lands to H. B. Macintosh, replying to above in the affirmative. 6 August, 1873	10
12. H. B. Macintosh to Officer in charge of Occupation of Lands, applying for the transference of his lease of Reserve to Mr. John M'Pherson, junr., of Cluny, Grafton. 23 August, 1873	10
13. Officer in charge of Occupation of Lands to Mr. H. B. Macintosh, informing him that the assignment is accepted. 5 September, 1873	10
14. Same to Mr. John M'Pherson, junr., apprising him to the same effect. 5 September, 1873	10
15. Same to Land Agent, Grafton, advising him that Mr. John M'Pherson, junr., has been permitted to occupy the Reserve in question. 5 September, 1873	10
16. Same to the Under Secretary for Finance and Trade, informing him of the transference of the lease of the land referred to. 5 September, 1873	11

No. 1.

MR. H. B. MACINTOSH TO THE MINISTER FOR LANDS.

Swan Creek, South Grafton,
30 November, 1872.

HONORABLE SIR,

I have the honor to apply to you for the use of a land reserve, containing by admeasurement 640 acres, and situated about 12 miles above the city of Grafton, on the right bank of the Clarence River. Plan attached.
Appendix A.

The object for which I want it is to make it a sheep and cattle farm, and otherwise experiment in other industries which may prove beneficial to the Colony.

If granted to me I shall pay the annual rent usually paid for such places, and give the place up to the Government when required to do so.

I have, &c.,
H. B. MACINTOSH.

THE land referred to is a Village Reserve in a bend of the Clarence River, containing about 640 acres.

The applicant does not appear to be the owner of any land in the locality. The land is open to auction lease, but this is apparently a special application and should be referred to Mr. Donaldson, who should report on the Reserve, and, if possible, see the applicant.—J.E.

Mr. Surveyor Donaldson, for report. If applicant desires it, the Reserves can be leased at auction.—J.S.A. (for S.G.), 13 Dec., 1872.

No. 2.

MR. SURVEYOR DONALDSON TO THE SURVEYOR GENERAL.

Grafton, 8 March, 1873.

SIR,

In obedience to instructions of 13th December, 1872, to report on the application of H. B. Macintosh to lease V.R. in the parish of Southampton, county of Clarence, opposite the V.R. at Moleville, I have the honor to state that I have had an interview with the applicant, who informs me that the purpose for which he requires the land is "silk culture," and the rearing of the "Angora goat," and if practicable the establishment of a "model agricultural farm." See No. 1.

The offering of the land at auction will scarcely meet the views of the applicant, who desires a lease for some years certain (say five) unless required by the Government during that time, when he would be willing to give it up, and he hopes that the object he has in view will be considered by the Government sufficient to grant him the land without competition.

There

There is no appearance of the land being likely to be required for a village site for some time (if it ever is) and although I do not think it desirable to alienate it I see no objection to its being leased, if it can be resumed when required.

I have, &c.,
JAS. R. DONALDSON.

Report submitted for Surveyor General's consideration.—J.E., 18 March. The further dealing with this application should be referred to Occupation Branch should it be approved.—18 March. This is a case to be dealt with by the Commissioner for Crown Lands.—R. D. FITZGERALD (for Sur. Genl.), 21 March, 1873. Ask what rent he is prepared to offer, should the leasing of the Reserve be authorized.—A.O.P., 27 Mar., /73. The Government would reserve the right of resuming possession at any time if necessary.—A.O.P.

No. 3.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, to MR. H. B. MACINTOSH.
Occupation of Lands,
Sydney, 28 March, 1873.

No. 1. SIR,
Referring to your letter of the 30th November last, applying for permission to lease a Reserve of 640 acres on the Clarence River, I have the honor to ask what rent you are prepared to offer should the leasing of the Reserve be authorized.

The Government would reserve the right of resuming possession at any time, if necessary.

I have, &c.,
A. O. PRETIOS,
Officer in Charge.

No. 4.

MR. H. B. MACINTOSH to THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT.
Swan Creek, South Grafton,
18 April, 1873.

No. 3. SIR,
In reply to your letter of the 28th ultimo, asking me what rent I would be prepared to offer in the event of the Government leasing to me a Reserve of 640 acres on the Clarence, I have the honor to offer as rent for the same the annual sum of £10 sterling.

I am aware that it is customary with the Government to reserve the right of resuming possession if necessary of such Reserves at any time, which fact lessens the value of such land to the leaseholder of the same.

I have, &c.,
H. B. MACINTOSH.
Approved.—J.S.F.,

Occupation may be authorized at the rental offered.—A.O.P., 28 April, /73. 2/5/73.

No. 5.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, to MR. H. B. MACINTOSH.
Occupation of Lands,
Sydney, 5 May, 1873.

No. 4. SIR,
Referring to your letter of the 18th ultimo, and previous correspondence, applying for permission to lease the Village Reserve of 640 acres, in the parish of Southampton, opposite to the Reserve at Moleville, for the purpose of silk culture, I am directed to inform you that you will be permitted to occupy the Reserve in question, on sufferance, at a rental of £10 per annum, as offered by you.

The annual rent is payable on or before the 31st December in each year in advance for the ensuing year, in default of which the permission will be withdrawn.

I have therefore to request that you will be good enough to pay forthwith into the Colonial Treasury the sum of £7 10s., being the rent from the commencement of the current quarter to the 31st December next, on payment of which your occupation will be authorized.

I have, &c.,
A. O. PRETIOS,
Officer in charge.

No. 6.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, to THE UNDER SECRETARY FOR
FINANCE AND TRADE.

Occupation of Lands,
Sydney, 5 May, 1873.

SIR,

I am directed to inform you that Mr. H. B. Macintosh has been permitted to occupy on sufferance the Village Reserve of 640 acres in the parish of Southampton, opposite to the Reserve at Moleville, for the purpose of silk culture, at an annual rental of £10, payable in the usual way.

Mr. Macintosh has been directed to pay forthwith into your hands the sum of £7 10s., now due for rent, for the period from 1st April to 31st December next, and I have to request that I may be favoured with a report when such payment shall have been credited to revenue.

I have, &c.,
A. O. PRETIOS,
Officer in charge.

No. 7.

No. 7.

MR. H. B. MACINTOSH TO THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT.

Swan Creek,
South Grafton, 23 May, 1873.

SIR,

In compliance with your request of the 5th instant, in calling upon me to pay into the Treasury No. 3. the sum of £7 10s. for 640 acres of land opposite the Reserve of Moleville, I have the honor to acquaint you that I have this day posted for the Honorable the Colonial Treasurer the above stated amount, for which please send me the requisite authority to occupy the land referred to.

I have, &c.,
H. B. MACINTOSH.

Rent paid (£7 10s.)—C.J.O., 10 June.
Referred to the Surveyor General with reference to noting on the maps.—A.O.P., B.C. 21 June, 1873. To be returned.
Noted on County map, and papers now returned.—H.A.A., 5 July, 1873.

No. 8.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, TO MR. H. B. MACINTOSH.

Occupation of Lands,
Sydney, 18 June, 1873.

SIR,

The Under Secretary for Finance and Trade having reported the payment of the sum of £7 10s., Annual rent, 4/10 being the rent for the period from the 1st April to the 31st December, 1873, of 640 acres of land permitted to be occupied by you on sufferance at Swan Creek, South Grafton, opposite to the Reserve at Moleville, for the purpose of silk culture, I have the honor to hereby convey to you the necessary authority for the occupation thereof, subject to the existing laws and regulations relating to Crown lands.

The annual rent (£10) is payable on or before the 31st December in each year, in advance for the ensuing year, in default of which the permission will be withdrawn.

The occupation will confer no right to purchase the land, which may be resumed by the Government at any time.

I have, &c.,
A. O. PRETIIOUS,
Officer in charge.

No. 9.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, TO THE LAND AGENT, GRAFTON.

Occupation of Lands,
Sydney, 18 June, 1873.

SIR,

I have the honor to inform you, that Mr. H. B. Macintosh has been permitted to occupy, on sufferance, 640 acres of Crown land at Swan Creek, South Grafton, opposite to the Reserve at Moleville, for the purpose of silk culture, at a rental of £10 per annum.

I have, &c.,
A. O. PRETIIOUS,
Officer in charge.

No. 10.

MR. H. B. MACINTOSH TO THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT.

Swan Creek, South Grafton,
25 July, 1873.

SIR,

I have the honor to acquaint you that circumstances connected with my family prevent me from occupying the Village Reserve of 640 acres, in the parish of Southampton, granted to me on sufferance by the Government.

2. Please inform me if I can transfer my right to occupy to another person, who shall be well known to the District Surveyor.

I have, &c.,
H. B. MACINTOSH.

Mr. Macintosh is the lessee of the Reserve of 640 acres, opposite Moleville.—E.O.D., 2 Aug., /73.
Reply in the affirmative.—A.O.P., 4 Aug.

10

No. 11.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, to Mr. H. B. MACINTOSH.

Occupation of Lands,
Sydney, 6 August, 1873.

SIR,

No. 10.

In reply to your letter of the 25th ultimo, I have the honor to inform you that your sufferance occupation of the Reserve opposite Moleville, for silk culture, may be transferred as desired by you, on your lodging in the office an application to that effect, duly attested.

I have, &c.,
A. O. PRETIOUS,
Officer in charge.

No. 12.

MR. H. B. MACINTOSH to THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT.

Swan Creek, South Grafton,
23 August, 1873.

SIR,

I have the honor to apply hereby for the transference of my lease of the Reserve opposite Moleville, to Mr. John M'Pherson, junr., of Cluny, Grafton, whose signature is hereto attached, as required by law.

I have, &c.,
H. B. MACINTOSH.

JOHN M'PHERSON, JUNR., Entitled Lessee.

Accept assignment. Note accordingly.—A.O.P., 8 Sept., /73.

No. 13.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, to Mr. H. B. MACINTOSH.

Occupation of Lands,
Sydney, 5 September, 1873.

SIR,

No. 12.

Referring to your letter of the 23rd ultimo, applying for permission to transfer your sufferance occupation of the Reserve opposite Moleville, to Mr. John M'Pherson, junr., I have the honor to inform you that the assignment is accepted.

I have, &c.,
A. O. PRETIOUS,
Officer in charge.

No. 14.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, to Mr. J. MACPHERSON, JUN.

Occupation of Lands,
Sydney, 5 September, 1873.

SIR,

For silk culture.
Annual rent,
£10.

Mr. H. B. Macintosh having applied for permission to transfer his sufferance occupation of the Reserve of 640 acres, opposite Moleville, to you, I have the honor to inform you that the assignment has been accepted.

I have, &c.,
A. O. PRETIOUS,
Officer in Charge.

No. 15.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, to THE LAND AGENT, GRAFTON.

Occupation of Lands,
Sydney, 5 September, 1873.

SIR,

I have the honor to advise you that Mr. John Macpherson, jun., has been permitted to occupy the Reserve of 640 acres, opposite Moleville, for the purpose of silk culture, at a rental of £10 per annum.

I have, &c.,
A. O. PRETIOUS,
Officer in Charge.

No. 16.

No. 16.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, TO THE UNDER SECRETARY FOR
FINANCE AND TRADE.

Occupation of Lands,
Sydney, 5 September, 1873.

SIR,

I have the honor to inform you that Mr. H. B. Macintosh's sufferance occupation of the Reserve opposite Moleville, for silk culture, has been transferred to Mr. John Macpherson, Jun.

Notified by letter
of 5 May, 1873.

I have, &c.,

A. O. PREVIOUS,
Officer in Charge.

2ND SCHEDULE of Correspondence relative to the application of Mr. Thomas Affleck for a portion of land situated near Albury, for Silk cultural purposes.

NO.	PAGE.
1. Thomas Affleck to Minister for Lands, applying for a grant of 10 acres of land, situate about 4 miles from Albury, on the east of the permanent Common, for the purpose of silk culture; with minutes thereon. 29 January, 1873.	11
2. The Under Secretary for Lands to Mr. Thos. Affleck, stating that there is no power vested in the Minister for Lands to grant land for the purposes above named. 11 February, 1873	12
3. Thomas Affleck to Minister for Lands, in reply to above, and inquiring upon what terms he could lease, with right to purchase, 10 or 20 acres of land, to be applied to silk culture; with minutes thereon. 16 February, 1873	12
4. Officer in Charge of Occupation of Lands, in answer to above. 1 March, 1873	12
5. Thomas Affleck to the Surveyor General, offering annual rental of £5 for 20 acres of land, with option of purchasing. Minutes thereon. 8 March, 1873	12
6. Officer in Charge of Occupation of Lands to Mr. Thos. Affleck, in answer to No. 5. 17 March, 1873	13
7. Officer in Charge of Occupation of Lands to the Under Secretary for Finance and Trade, advising that Mr. Thomas Affleck had been permitted to lease 20 acres of land for the purposes stated above, and asking for report when payment of rent shall have been credited to revenue. 17 March, 1873	13
8. Mr. Thomas Affleck to Officer in Charge of Occupation Branch, in reply to No. 6. Minutes thereon. 22 March, 1873.	13
9. Officer in Charge of Occupation of Lands to Mr. Thomas Affleck, in reply to above. 5 April, 1873	13
10. Mr. Thomas Affleck to Officer in Charge of Occupation Branch, requesting that his application for 2 acres of land, under 8th clause of Crown Lands Alienation Act, may be cancelled. Minutes thereon. 11 April, 1873	14
11. Officer in Charge of Occupation of Lands to Under Secretary for Lands, advising that Mr. Thomas Affleck had made application for the cancellation of his purchase of 2 acres of land. 24 April, 1873	14
12. Gazette notice of lease of 20 acres of land for purpose of silk culture. 9 May, 1873	14
13. Mr. Thomas Affleck to the Surveyor General, requesting that instructions may be issued for survey of his 20 acres leased land at Albury; with minutes thereon. 10 May, 1873	14
14. Officer in Charge of Occupation of Lands to Thomas Affleck, giving authority for the occupation of the land stated in No. 12. 12 May, 1873	15
15. The Surveyor General to the District Surveyor, Albury, with instructions to survey the land mentioned in No. 14; with minute. 14 August, 1873	15
16. Memo. by the Chief Clerk respecting the power to grant leases for special objects. 18 November, 1873	15
17. Licensed-Surveyor Berry to Surveyor General, transmitting plan of land applied for by Thomas Affleck, parish of Albury. 22 May, 1874	15
18. Thomas Affleck to Minister for Lands, making further application for an additional 10 acres of land; with minute thereon. 26 June, 1875	15
19. Thomas Affleck to Minister for Lands, requesting that an area of 20 acres of land, adjoining his pre-emptive, may be reserved from sale; with minutes thereon. 13 October, 1875	16
20. Officer in Charge of Occupation of Lands to Thos. Affleck respecting above application. 2 November, 1875	16
21. District-Surveyor Wood to the Surveyor General, reporting on Thomas Affleck's application for reserve adjoining his leased land; with minutes thereon. 10 November, 1875	16
22. Minute for Executive Council, reserving 20 acres of land from sale, parish of Albury. Schedule attached. 10-January, 1876	17
23. Gazette notice, reserving from sale for sericulture about 20 acres of land near Albury. 9 February, 1876	17

No. 1.

MR. T. AFFLECK TO THE MINISTER FOR LANDS.

Albury, 29 January, 1873.

DEAR SIR,

From experience I have had in a small way in sericulture, and believing that the climate of this district is suited to the rearing of the silkworm, I purpose investing a little capital in endeavouring to bring the industry into public favour, and feeling assured that it is within the province of a Government to encourage such industry by giving grants of land, I wish to be informed whether you will grant me, say 10 acres of land for that purpose, situate about 4 miles from Albury, near the selection of Smith, and bounded on the west by the permanent Common. I would be prepared to commence clearing and fencing at once, also erect such buildings as are necessary to the successful carrying out of the industry.

Hoping you will consider my application favourably, at your earliest convenience,

I remain, &c.,

THOMAS AFFLECK.

There does not appear to be any provision in the Crown Lands Alienation or Occupation Acts for this source of industry.—O.R., 3 Feb., /73. No power to grant land for the purpose stated.—J.S.F., 6 Feb., /73.

No. 2.

THE UNDER SECRETARY FOR LANDS TO MR. T. AFFLECK.

Department of Lands,
Sydney, 11 February, 1873.

SIR,

No. 1.

Referring to your letter of 29th ultimo, applying for a grant of about 10 acres of land, situated near Albury, to be used by you for the purpose of sericulture, I am directed by the Minister for Lands to inform you that there is no power vested in him under the Crown Lands Alienation or Occupation Acts of 1861 to grant land for the purposes of the industry abovenamed.

I have, &c.,
O. RICH,
For the Under Secretary.

No. 3.

MR. T. AFFLECK TO THE MINISTER FOR LANDS.

Albury, 16 February, 1873.

SIR,

No. 2.

I beg to acknowledge the receipt of yours of 11th February, notifying that the Minister for Lands has no power to grant lands for the purpose of the industry mentioned therein. However, since receiving your reply I noticed an advertisement in the *Gazette* of February 7th, a Reserve from sale of 1,280 acres, which I presume is for Mr. Brady, for the cultivation of sericulture. If it is impossible to obtain a grant of land, would you kindly inform me upon what terms I could lease, say 10 or 20 acres, with the right to purchase, to be applied to the culture of silk, the said land being situated near the 2 acres of John Smith, and the 2 acres selected by Arthur H. Hill, some 4 miles from Albury, and nearly adjoining the permanent Common.

Your early attention will much oblige.

I have, &c.,
THOMAS AFFLECK.

A lease of 20 acres could be granted without the right to purchase. The term of lease could not exceed 5 years; the rent will depend upon circumstances.—J.S.F., 26/2/73.

The Officer in charge of the Occupation Branch.—O.R., for U.S., B.C., 27 Feb., 1873.

Ask what rent he is prepared to offer you for a lease of 20 acres in the locality indicated.—A. O. PREVIOUS, 28/2/73.

No. 4.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, TO MR. T. AFFLECK.

Occupation of Lands,
Sydney, 12 March, 1873.

SIR,

Referring to your letter of the 16th instant, applying for permission to lease a portion of Crown lands for the purpose of silk culture, I have the honor to ask what rent you are prepared to offer for a lease of 20 acres in the locality indicated?

I have, &c.,
A. O. PREVIOUS,
Officer in Charge.

No. 5.

MR. T. AFFLECK TO THE SURVEYOR GENERAL.

Albury, 8 March, 1873.

SIR,

No. 4.

I have the honor to acknowledge the receipt of yours of March 1st, and beg to state in reply that I shall be willing to pay annual rental of £5 for 20 acres, with a lease for five years, with the option of purchase at the expiry of the term, the price to be fixed by valuation of the land.

Should my proposal meet with your approval an early answer will oblige, as I am anxious to prepare the ground for the reception of rooted trees in July next.

I remain, &c.,
THOS. AFFLECK.

A lease may be granted at the rental offered.—A.O.P., 11 March, '73.

Appd.—J.S.F., 14/3/73.

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No. 6.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, to MR. T. AFFLECK.

Occupation of Lands,
Sydney, 17 March, 1873.

SIR,

Referring to your letter of the 8th instant and previous correspondence, I am directed to inform you that you will be permitted to lease for a period of five years from the 1st January, without right of purchase, the portion of land applied for by you for the purpose of silk culture, at a rental of £5 per annum.

The annual rent is payable on or before the 31st December in each year in advance for the ensuing year, in default of which the lease will be forfeited and may be brought to sale by auction.

I have therefore to request that the sum of £5, now due for rent for the current year ending 31st December next, may be paid into the Colonial Treasury, on receipt of which a lease will be gazetted in your favor.

I have, &c.,
A. O. PRETIOUS,
Officer in charge.

No. 7.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, to THE UNDER SECRETARY FOR FINANCE AND TRADE.

Occupation of Lands,
Sydney, 17 March, 1873.

SIR,

I am directed to inform you that Mr. Thomas Affleck has been permitted to lease 20 acres of Crown lands at Albury for the purpose of silk culture, at an annual rental of £5, payable in advance in the usual way.

Mr. Affleck has been directed to pay into your hands the sum of £5, now due for rent for the current year ending 31st December next, and I have to request that I may be favored with a report when such payment shall have been credited to revenue.

I have, &c.,
A. O. PRETIOUS,
Officer in charge.

No. 8.

MR. T. AFFLECK to THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT.

Albury, 22 March, 1873.

SIR,

In reply to yours of the 17th, I beg to state that the terms proposed are altogether too much in favor of the Government. If I lease a portion of land upon which I expect to expend some £200 or £300 without a prospect of returns, I certainly would expect to be guaranteed a renewal, if not the right of purchase. In my last I applied for a lease for five years, with the view of being allowed to purchase it at the end of the term. Upon the terms submitted by you I could not accept a lease under a term of (say) ten or fourteen years.

Hoping to hear from you in due course,—

I remain, &c.,
THOS. AFFLECK.

Perhaps a lease with right of purchase may be granted. The industry is one which it has been considered desirable to assist.—A.O.P., 28 March, 1873.

A lease may be granted without restriction.—J.S.F., 31/3/73.

No. 9.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, to MR. T. AFFLECK.

Occupation of Lands,
Sydney, 5 April, 1873.

SIR,

In reply to your letter of the 22nd ultimo, I am directed to inform you that the permission to lease 20 acres near Albury for the purpose of silk culture, intimated by my communication of the 17th ultimo, will be granted without restriction.

I have, &c.,
A. O. PRETIOUS,
Officer in charge.

No. 10.

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No. 10.

MR. T. AFFLECK to THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT.

Albury, 11 April, 1873.

SIR,

Having forwarded by this post cheque for £5 to Under Secretary of Finance, for a lease of the 20 acres of land near Albury, promised to me in your two previous communications,—I beg to request that you will cancel my application for 2 acres under the 8th clause of the Crown Lands Alienation Act, as the said 2 acres of land will come within the area of the 20-acre lease.

I remain, &c.,
THOMAS AFFLECK.

Advise Under Secretary for this request.—A.O.P., 23 April, 1873. Await report of payment.
Rent paid.—C.J.O., 1/5/73.

Forwarded to the Surveyor General for noting on the maps.—A.O.P.; B.C., 12 May, 1873.

Map may be noted, but not to the effect that any right of purchase has been granted.—R.D.F., for Surveyor General.

No. 11.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, to THE UNDER SECRETARY FOR LANDS.

Occupation of Lands,
Sydney, 24 April, 1873.

SIR,

I have the honor to advise you that Mr. Thomas Affleck has requested the cancellation of his application for the purchase of 2 acres of land near Albury, under the 8th section of the Alienation Act, the land being included in a special lease now granted to him.

I have, &c.,
A. O. PRETIOUS,
Officer in charge.

No. 12.

GAZETTE NOTICE.

Occupation of Lands,
Sydney, 9 May, 1873.

Lease for a special object.

It is hereby notified, for general information, that the undermentioned person has been permitted to lease the portion of Crown land specified in the annexed Schedule, for the purpose of silk cultivation.

A. O. PRETIOUS,
Officer in charge.

Name of Applicant for Lease.	Situation of Land.	Area.	Date of commencement of Tenure.	Term of Lease.	Annual Rent.
Thomas Affleck	About 4 miles from Albury, adjoining the permanent Common.	20 acres.....	1 January, 1873' ...	31 December, 1877	£ s. d. 10 0 0

No. 13.

MR. T. AFFLECK to THE SURVEYOR GENERAL.

Albury, 10 May, 1873.

SIR,

Having received receipt for £5, forwarded to the Treasury by me for the lease of the 20 acres of land near Albury, I should feel obliged if you would at your earliest convenience issue instructions for the same to be surveyed as I am unable to proceed with the fencing until the boundaries are marked off.

I am, &c.,
THOS. AFFLECK.

No mineral selection in the name of Affleck.—15 May.

Perhaps he has paid the deposit only and received authority to select.—19/5/73.

Mr. Newcombe,—Any deposit lodged in Affleck's name?—21 May.

Thomas Affleck holds 20 acres at Albury for the purpose of silk culture. Rent is paid for 1873.—

W. NEWCOMBE, Treasury, 21/5/73.

The papers were forwarded to the Surveyor General for charting purposes by B.C. of 12th instant.—E. O'DWYER, Occupation of Lands, 26 May.

Hitherto no surveys have been made of such leases. It is submitted whether measurement is required and should be carried out.—R. D. FITZGERALD (for Surveyor General), 31 May, /73.

I think the land should be measured.—J.S.F., 29/7/73.

No. 14.

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No. 14.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, to Mr. T. AFFLECK.

Occupation of Lands,
Sydney, 12 May, 1873.

SIR,

The Under Secretary for Finance and Trade having reported the payment of the sum of £5, being the rent for the period from 1st January to 31st December, 1873, of 20 acres of Crown land permitted to be leased by you for silk culture at Albury, under *Gazette* notice of the 9th instant, I have the honor to hereby convey to you the necessary authority for the occupation thereof, subject to the laws and regulations relating to Crown Lands.

20 acres, about
4 miles from
Albury, adjoining
the permanent
Common.

The annual rent (£5) is payable on or before the 31st December in each year, in advance for the ensuing year, in default of which the lease will be forfeited and may be brought to sale by auction.

See No. 12.
Annual rent, £5.

I have, &c.,

A. O. PRETIIOUS,
Officer in Charge.

No. 15.

THE SURVEYOR GENERAL to MR. DISTRICT-SURVEYOR WOOD.

Surveyor General's Office,
Sydney, 14 August, 1873.

SIR,

I beg to enclose herewith a copy of an application received from Mr. Thomas Affleck, to lease 20 acres of land for the purpose of sericulture, and to inform you that the Honorable the Minister for Lands has approved of the land being measured.

See previous
correspondence.

I have therefore to request that you will carry out the survey as soon as possible, provided no objections exist.

I have, &c.,

ROBT. D. FITZGERALD,
For Surveyor General.

Mr. Licensed-Surveyor Berry is requested to measure the 20 acres applied for; a sufficiently wide road should be left along the south boundary of J. Smith's 2 acres for access to water and vacant Crown lands.—J. H. Wood, D.-S., B.C., 19 August, 1873.

No. 16.

MEMORANDUM BY THE CHIEF CLERK.

THE accompanying papers are submitted for consideration in the event of its being deemed proper to obtain powers from the Legislature to deal with this class of cases.

There can, I think, be no doubt that there is no provision in the existing law under which land can be leased for sericulture. The acting authority for the granting of leases for special objects is the 30th clause of the Crown Lands Occupation Act, which specifies "wharves, bridges, punt, houses, ferries, and for the erection of machinery for saw-mills, brick-making, and the objects of a like kind."

Some years ago I submitted to the Minister for Lands the advisability of providing in any amendment of the Land laws for the encouragement of special industries of the character in question.

A.O.M., 18/11/73.

No. 17.

MR. LICENSED-SURVEYOR BERRY to THE SURVEYOR GENERAL.

Camp, Tambla, 22 May, 1874.

SIR,

I have the honor to transmit herewith plan of portion No. 225 of 20 acres, applied for by Thomas Affleck to lease, parish of Albury, county of Goulburn; letter of instructions for survey issued by Mr. District-Surveyor Wood on the 19th August, 1873.

Plan lost.

See No. 15.

I have, &c.,

HENRY BERRY.

No. 18.

MR. T. AFFLECK to THE MINISTER FOR LANDS.

Albury, 26 June, 1875.

SIR,

Being already a leaseholder of 20 acres of land, situate near Albury, for sericultural purposes, and having nearly one half of that lease planted, and in process of being planted with mulberry-trees, I beg leave to make application for 10 acres of land adjoining, to be reserved for sericultural purposes.

The reason I make this application is from the fact that I made an application for a lease of 20 acres more, and was refused the same. In order to make this industry a success, which I hope to do in the course of another year, it is necessary to have additional land to that already occupied; if you will grant this application it will act as a greater stimulus in furthering the interests of this important industry.

I have, &c.,

THOS. AFFLECK.

Inform as in other cases that it is not advisable that any fresh portion of the temporary Common should be leased.—A.O.P., 30 Oct., 1875.

No. 19.

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No. 19.

MR. T. AFFLECK TO THE MINISTER FOR LANDS.

Albury, 13 October, 1875.

HONORABLE SIR,

I have the honor to request that you will cause an area of 20 acres of Crown lands adjoining my pre-emptive at the Springs, near Albury, to be reserved from sale.

I hold a lease of 20 acres, portion 225, for special industry, viz., sericulture; and in the event of my succeeding in making the industry remunerative I shall not be able to make it of national importance without more land.

Under these circumstances, and believing it to be the policy of the Government to encourage the industry, I hope you will cause the additional Reserve of 20 acres to be proclaimed for that purpose.

I have, &c.,

THOMAS AFFLECK.

Approved after inquiry by surveyor.—T.G., 16/10/75.

Referred for the consideration of Mr. District-Surveyor Wood, who will please forward a sketch as may be necessary.—R.D.F. (for Sur. Gen.), B.C., 20 Oct., 1875.

No. 20.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, TO MR. T. AFFLECK.

Occupation of Lands,

Sydney, 2 November, 1875.

SIR,

Referring to your application for permission to lease 10 acres adjoining your present lease on the temporary Common at Albury for sericultural purposes, I have the honor to inform you that I do not consider it advisable to lease any further portion of the temporary Common.

I have, &c.,

E. O'DWYER,

(For the Officer-in-charge.)

No. 21.

MR. DISTRICT-SURVEYOR WOOD TO THE SURVEYOR GENERAL.

District Survey Office,

Albury, 10 November, 1875.

SIR,

Referring to your B.C. instructions of the 20th ultimo, requesting my report on Thomas Affleck's application for a Reserve adjoining his leased land, being portion of No. 225, parish of Albury, county Goulburn, I have the honor to inform you that the area desired to be reserved is shown on the enclosed tracing.* The land is situated within the Albury Temporary Common and Black Range Gold Field. I am not aware of any objection to the reservation for the purpose applied for. Mr. Affleck is engaged in an industry deserving of every encouragement; he has expended a considerable sum of money in improving his 20 acres lease, and should he be successful in his sericultural pursuits the area he now leases will scarcely be sufficient to carry on operations satisfactorily. I would therefore beg to suggest that the application be favourably entertained.

I have, &c.,

JAMES H. WOOD, D.S.

The accompanying report was obtained upon an application to lease 20 acres reserved for sericulture. It is submitted for the consideration of the Honorable the Minister for Lands that the defined 20 acres, county of Goulburn, be reserved from sale under the provisions of the Crown Lands Act, for sericulture, as recommended by District-Surveyor Wood.—R. D. FITZGERALD (for Sur. Gen.), B.C., 29 Dec., /75.

Approved.—T.G.

I think Mr. Affleck may be allowed to lease the additional 20 acres on the same terms and conditions as in the first lease of that area.—A.O.P., 2 May, /76.

Approved.—T.G., 13/5/76.

No. 22.

No. 22.

MINUTE FOR THE EXECUTIVE COUNCIL.

Reserves from Sale under the 4th section of the "Crown Lands Alienation Act of 1861."

Department of Lands,
Sydney, 10 January, 1876.

It is recommended to His Excellency the Governor and the Executive Council that the portion of Crown land described in the annexed Schedule be reserved from sale under the 4th section of the "Crown Lands Alienation Act of 1861," for the purpose mentioned in connection therewith.

THOMAS GARRETT.

SCHEDULE.

Registration Number.	Area.	Situation.	Purpose of Reservation.
.....	About 20 acres...	County of Goulburn, parish of Albury ...	For Sericulture.

No. 23.

GAZETTE NOTICE.

Department of Lands,
Sydney, 9 February, 1876.

Reserve from Sale for Sericulture.

His Excellency the Governor, with the advice of the Executive Council, directs it to be notified, that in pursuance of the provisions of the 4th section of the "Crown Lands Alienation Act of 1861," the land specified in the Schedule appended hereto shall be reserved from sale for Sericulture.

THOMAS GARRETT.

MURRUMBIDGEE DISTRICT.

No. 1,529. County of Goulburn, parish of Albury, about 20 acres. The Crown lands within the following boundaries: Commencing on the west boundary of the Albury permanent Common, at the south-east corner of portion 225; and bounded on the north by the south boundary of that portion bearing west 16 chains 54 links; and on the west by a line bearing south 12 chains 14 links; and on the south by a line bearing east 16 chains 54 links to the west boundary of the permanent Common aforesaid; on the east by that boundary bearing north to the point of commencement.

3RD SCHEDULE of Correspondence relative to the application of Mr. A. H. Hill, for a portion of land situate in the parish of Albury, county of Goulburn, for Sericultural purposes.

NO.		PAGE.
1.	Mr. A. H. Hill to the Minister for Lands, applying to lease 20 acres of land in the parish of Albury, for sericultural purposes; with minutes. 30 August, 1873.....	17
2.	Officer in Charge of Occupation of Lands to Mr. A. H. Hill, in reply to above. 8 April, 1874	18
3.	Arthur H. Hill to the Minister for Lands, applying to lease 20 acres of land within the Albury Temporary Commonage; with minutes. 20 August, 1874.....	18
4.	Officer in Charge of Occupation of Lands to Mr. A. H. Hill, in reply to above. 29 August, 1874	18

No. 1.

MR. A. H. HILL TO THE MINISTER FOR LANDS.

Summerhill Nursery,
Albury, 30 August, 1873.

SIR,

I have the honor to apply for a five (5) years lease of twenty (20) acres of land partly surrounding my present purchase of 4 acres, being portion 209, parish of Albury, county of Goulburn. The purpose for which I require the land is for the extension of present nursery, and I am prepared to offer you £5 per annum rent for same. I also request that I may be allowed to purchase the said land at the expiration of the term.

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

The land is within the temporary Common.—E.O'D., 20 September, 1873. It would not be advisable to lease any portion of the temporary Common. Inform.—A.O.P., 31 March, 1874.

No. 2.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, to MR. A. H. HILL.

Occupation of Lands,
Sydney, 8 April, 1874.

SIR,

Referring to your letter of the 30th August last, applying for permission to lease 20 acres surrounding your purchased land 4 acres, at Albury, I have the honor to inform you that it would not be advisable to lease any portion of the temporary Common.

I have, &c.,
A. O. PRETIUS,
Officer in Charge.

No. 3.

MR. A. H. HILL to THE MINISTER FOR LANDS.

Albury, 20 August, 1874.

SIR,

Finding it necessary to extend my nursery, owing to the increased demand for fruit and ornamental trees, &c., throughout this district, I have the honor to request that you will be so good as to grant me a lease of 20 acres within the Albury Temporary Common, immediately around my purchased land, with liberty to purchase at the end of the term. I would be willing to pay rent at the rate of 5s. per acre per annum.

I have, &c.,
ARTHUR H. HILL.

Mr. Hill has already been informed in reference to a previous application that it is not desirable to lease any portion of the temporary Common.—E.O'D., 25/8/74.

The temporary Common has been vested in Trustees.—E.O'D., 27/8/74.

Inform, referring to previous intimation.—A.O.P.

No. 4.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, to MR. A. H. HILL.

Occupation of Lands,
Sydney, 29 August, 1874.

SIR,

In reply to your letter of the 20th inst., applying for permission to lease 20 acres within the Albury Temporary Common, I have the honor to refer you to my previous communication of the 8th April last, intimating that it would not be desirable to lease any portion of the temporary Common, which has been vested in Trustees.

I have, &c.,
A. O. PRETIUS,
Officer in Charge.

4TH SCHEDULE of Correspondence relative to the application of Mr. Thomas Smith for a portion of land situate in the county of Cook, district of Penrith, for Sericultural purposes.

NO.	PAGE.
1. Mr. Thomas Smith to the Minister for Lands, applying to lease 100 acres of land, about 2 miles from Emu Plains, on the old Bathurst Road, for sericultural purposes; with minute thereon. 12 June, 1874	18
2. Officer in Charge of Occupation of Lands, in reply. 7 July, 1874	19
3. Mr. Thomas Smith to the Minister for Lands, describing boundaries of land applied for; with minutes thereon, and tracing. 8 July, 1874	19
4. Officer in Charge of Occupation of Lands to the Constable-Bailiff, Penrith, requesting report, if any objection exists to Mr. Smith's application; with minutes. 29 July, 1874	19
5. Senior-sergeant Healy, in reply to above; with minutes thereon. 6 August, 1874	20
6. Gazette notice of lease for a special object, and Schedule. 18 August, 1874	20
7. Officer in Charge of Occupation of Lands to Mr. Thomas Smith, requesting payment of the annual rental of his leased land, referred to in No. 6. 21 August, 1874	20
8. Same to Under Secretary for Finance and Trade, intimating that Mr. Smith was directed to pay rent into Treasury for leased land referred to in No. 6. 21 August, 1874	20
9. Same to Mr. Thomas Smith, conveying authority to occupy the leased land referred to in No. 8, and description. 18 September, 1874	21
10. Same to the Constable-Bailiff, Penrith, advising that Mr. Thomas Smith has been permitted to lease 100 acres of Crown land, about 2 miles from Emu Plains; with minute. 18 September, 1874	21
11. Same to the Land Agent, Penrith, informing him that Mr. Smith has been permitted to lease Crown land, referred to above. 18 September, 1874	21

No. 1.

MR. T. SMITH to THE MINISTER FOR LANDS.

Penrith, 12 June, 1874.

SIR,

In pursuance of the conditions annexed to the 30th clause of the "Crown Lands Occupation Act of 1861," I have the honor to request that the portion of Crown land hereunder described may be leased to me for special purposes, under clause 110—lease for special objects, namely,—100 acres on the Blue Mountains, on the south side of the old Bathurst Road, about 2 miles from Emu Plains, in the county of

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of Cook, district of Penrith, bounded by the old Bathurst Road on the north side, running south. Some portion of this land I think is adapted for the growth of mulberry-trees for feeding silk-worms; and as I have a large quantity of cuttings on hand that I wish to plant out, I beg to offer £1 per year for the above 100 acres for the term of 5 years.

I have, &c.,
THOMAS SMITH.

The land should be described definitely from a given starting point—say, such as a marked tree, in order that I may ascertain whether the granting of the application would interfere with other occupations or be otherwise objectionable on public grounds.—A.O.P., 3 July, 1874.

No. 2.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, to MR. T. SMITH.

Occupation of Lands,
Sydney, 7 July, 1874.

SIR,

Referring to your letter of the 12th ultimo, applying for permission to lease 100 acres of Crown No. 1 lands at the Blue Mountains for the purpose of growing mulberry-trees for silk culture, I have the honor to inform you that the land should be described definitely from a given starting point—say such as a marked tree—in order that I may ascertain whether the granting of the application would interfere with other occupations, or be otherwise objectionable on public grounds.

I have, &c.,
A. O. PRETIUS,
Officer in Charge.

No. 3.

MR. T. SMITH to THE MINISTER FOR LANDS.

Penrith, 8 July, 1874.

SIR,

In answer to yours of yesterday, asking for a starting point of the 100 acres of land I applied No. 2 for on the 12th of June for mulberry-trees for silk culture,—

The starting point is at a culvert the south side of the Railway line, opposite land purchased by Mr. Lucas, running on the east by a deep gully bearing south 33 chains, then on the south by a line running west 33 chains; thence on the west by a line bearing north 33 chains to Railway line; and then along the Railway line, bearing east 32 chains to point of commencement.

I have, &c.,
THOMAS SMITH.

P.S.—Have enclosed sketch showing the position of land applied for.—T.S.

Appendix C.

For plan.—A.O.P. Submitted herewith.

The land applied for appears to be portion of a mineral lease of 240 acres, not yet declared forfeited, though not renewed by any payment of rent since 1869.—E.O'D., 27/7/74.

The land appears to have been leased previously for mineral purposes. There will probably be no objection to a compliance with this application. Ask the Constable-Bailiff to report.—A.O.P., 28 July, 1874.

No. 4.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, to CONSTABLE-BAILIFF, PENRITH.

Occupation of Lands,
Sydney, 29 July, 1874.

SIR,

I have to inform you that Mr. Thomas Smith has applied for permission to lease 100 acres of Crown land, starting from a culvert on the south side of the Railway line, opposite to Mr. Lucas's purchased land, about 2 miles from Emu Plains, for the purpose of growing mulberry-trees to feed silk-worms, and I have to request that I may be favored with a report as to whether you are aware of any objection to the granting of Mr. Smith's application.

The land appears to have been leased previously for mineral purposes.

I am, &c.,
A. O. PRETIUS,
Officer in Charge.

Forwarded through the Inspector General.—A.O.P., 29/7/74. Sub-Inspector Ryeland.—E.F., 1/8/74. Forwarded for the attention of Senior-Sergeant Healey.—J. RYELAND, 4/8/74.

No. 5.

No. 5.

SENIOR-SERGEANT HEALEY to SUB-INSPECTOR RYELAND.

Police Station,
Penrith, 6 August, 1874.

SENIOR-SERGEANT HEALEY begs to report, with reference to annexed, that from inquiry he has made he finds that there is no objection to Mr. Thomas Smith leasing the land in question.

It appears that some years ago Messrs. Mort & Co. leased 1,500 acres of the same land for mineral purposes, but have since given it up.

JOHN HEALEY,
Senior Sergeant.

Forwarded for the information of the Inspector General of Police.—JAS. RYELAND, Sub-Inspector, 7/8/74.

The Officer in Charge, Lands Department, Occupation Branch.—E.F., 7/8/74.

As this application is for a lease in furtherance of a new industry, I beg to recommend that a lease may be granted at the nominal rent offered, £1.—A.O.P., 11 August, 1874.

Approved.—J.S.F., 14/8/74.

Forwarded to the Surveyor General for charting.—A.O.P., B.C., 18 September, 1874.

Noted on Emu Plains and County Maps.—F.W., 17 November, 1874.

No. 6.

GAZETTE NOTICE.

Department of Lands,
Sydney, 18 August, 1874.

Lease for a special object.

It is hereby notified, for general information, that the undermentioned person has been permitted to lease the portion of Crown land specified in the annexed Schedule for the purpose of silk culture.

The rent for the current year, ending 31st December next, must be paid into the Treasury within three months from this date, otherwise the lease will be forfeited.

JAMES S. FARNELL.

Name of Applicant for Lease.	Situation of Land.	Area.	Date of commencement of tenure.	Terms of Lease.	Annual Rent.
Thomas Smith	On the south side of the Great Western Railway Line, opposite Mr. J. Lucas' purchased land, about 2 miles from Emu Plains.	100 acres ...	1st January, 1874...	31 December, 1878.	£ s. d. 1 0 0

No. 7.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, to MR. T. SMITH.

Occupation of Lands,
Sydney, 21 August, 1874.

SIR,

Referring to your letter of the 8th ultimo, I have the honor to direct your attention to the *Gazette* notice of the 18th instant, under which you have been permitted to lease about 100 acres of Crown lands on the south side of the Great Western Railway line, opposite to Mr. J. Lucas's purchased land, about 2 miles from Emu Plains, for the purpose of silk culture, at an annual rental of £1.

The annual rent is payable on or before the 31st December in each year, in advance, for the ensuing year, in default of which the lease will be forfeited.

I have therefore to request that you will be good enough to pay into the Colonial Treasury, within three months from the date of the above notice, the sum of £1, rent for the current year ending 31st December next, on payment of which your occupation will be authorized.

I have, &c.,

A. O. PRETIOS,
Officer in Charge.

No. 8.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, to THE UNDER SECRETARY FOR FINANCE AND TRADE.

Occupation of Lands,
Sydney, 21 August, 1874.

SIR,

I have the honor to direct your attention to the *Gazette* notice of the 18th instant, under which Mr. Thomas Smith has been permitted to lease about 100 acres of Crown land at Emu Plains, for the purpose of silk culture, at an annual rental of £1, payable in advance, in the usual way.

Mr.

No. 3.

No. 6.
Annual rent, £1.
Amount called for, £1.

No. 6.

Annual rent, £1.
Amount now called for, £1.

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Mr. Smith has been directed to pay into your hands, within three months from the date of the above notice, the sum of £1, being the rent for the current year ending 31st December next, and I have to request that I may be favoured with a report when such payment shall have been credited to revenue.

I have, &c.,
A. O. PRETIOUS,
Officer in Charge.

No. 9.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, to MR. T. SMITH.

Occupation of Lands,
Sydney, 18 September, 1874.

SIR,

I have the honor to inform you that you are entitled to a lease of the portion of Crown land at Emu Plains, applied for by you, for the purpose of silk culture, for five years, from 1st January, 1874, at an annual rental of £1, and that a formal lease will hereafter be prepared and issued in your favour.

Annual rent, £1.
Enclosed.

In the meantime I forward for your information a description of the boundaries of the land in question, and hereby convey to you authority for occupying the same, subject to the existing laws and regulations relating to Crown lands.

I have, &c.,
A. O. PRETIOUS,
Officer in Charge.

DESCRIPTION.

COMMENCING at a culvert on the south side of the railway line, opposite to land purchased by Mr. Lucas, running on the east by a deep gully, bearing south 33 chains; thence on the south by a line running west 33 chains; thence on the west by a line bearing north 33 chains to railway line; and thence along the railway line, bearing east 32 chains to point of commencement.

No. 10.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, to THE CONSTABLE-BAILIFF, PENRITH.

Occupation of Lands,
Sydney, 18 September, 1874.

SIR,

Referring to your letter of the 6th ultimo, I have the honor to advise you that Mr. Thomas No. 5 Smith has been permitted to lease 100 acres of Crown lands on the south side of the Great Western Railway line, opposite to Mr. J. Lucas's purchased land, and about 2 miles from Emu Plains, for the purpose of silk culture, at an annual rental of £1.

I have, &c.,
A. O. PRETIOUS,
Officer in Charge.

Forwarded through the Inspector General.—A.O.P., 18 Sept., /74.

No. 11.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, to THE LAND AGENT, PENRITH.

Occupation of Lands,
Sydney, 18 September, 1874.

SIR,

I have the honor to inform you that Mr. Thomas Smith, has been permitted to lease 100 acres of Crown land on the south side of the Great Western Railway line, opposite to Mr. Lucas's purchased land, and about 2 miles from Emu Plains, for the purpose of silk culture, at an annual rental of £1.

I have, &c.,
A. O. PRETIOUS,
Officer in Charge.

5TH SCHEDULE of Correspondence relative to the application of Mr. John Gordon for a portion of land near Hamilton Creek, for the purpose of Sericulture.

NO.	PAGE.
1. Mr. John Gordon to Under Secretary for Lands, applying for a lease of 10 acres of land, near Hamilton Creek, for sericultural purposes. 18 June, 1874	22
2. Officer in Charge of Occupation of Lands to Mr. John Gordon, in reply to above. 13 July, 1874.....	22
3. Mr. John Gordon to Under Secretary for Lands, stating that "temporary Common" is not vested in Trustees; with minutes thereon. 27 August, 1874	22
4. Officer in Charge of Occupation of Lands to Mr. John Gordon, in reply. 8 January, 1875.....	22

No. 1.

22

No. 1.

MR. J. GORDON TO THE UNDER SECRETARY FOR LANDS.

Albury, 18 June, 1874.

DEAR SIR,

I intend breeding and rearing a large number of silk-worms, and am desirous to obtain a lease (say) for five years of about 10 acres of land, situated near Hamilton's Creek, west of Johnston's land. The land is reserved by the Government as a temporary Common—is suitable for growing the mulberry-tree, the leaf of which is the food of the silk-worm. If I can have a lease granted I am willing to pay £2 10s. per year for it.

I remain, &c.,
JOHN GORDON,
Dean-street, Albury.

No. 2.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, TO MR. J. GORDON.

Occupation of Lands,
Sydney, 13 July, 1874.

SIR,

No. 1.

Referring to your letter of the 18th ultimo, applying for permission to lease portion of the Albury Temporary Common for the purpose of silk culture, I have the honor to inform you that the Common is vested in Trustees.

I have, &c.,
A. O. PRETIUS,
Officer in Charge.

No. 3.

MR. J. GORDON TO THE UNDER SECRETARY FOR LANDS.

Albury, 27 August, 1874.

DEAR SIR,

No. 2.

I duly received your letter of July 13th in *re* of my application to lease a portion of the Albury Temporary Common, in which you say the Common is vested in Trustees. On making inquiries I find the permanent Common is vested in Trustees, but not the *temporary Common*, on which is situated the land I wish to lease. I hope you will favourably consider and grant my application.

I am, &c.,
JOHN GORDON.

Commissioner Crommelin may be asked to give his assistance in this case.—A.O.P., 22 Dec., 1874.

Not advisable in my opinion to lease any portion of the temporary Common.—T. L. CROMMELIN,
5 Jan., 1875. Inform.—A.O.P., 6 Jan., 1875.

No. 4.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, TO MR. J. GORDON.

Occupation of Lands,
Sydney, 8 January, 1875.

SIR,

Referring to your application for permission to lease a portion of the Albury Temporary Common for the purpose of silk culture, I have the honor to inform you that it is not deemed advisable to lease any portion of the Common.

I have, &c.,
A. O. PRETIUS,
Officer in Charge.

6TH SCHEDULE of Correspondence relative to the Application of Mr. Adolph Reiff, for a lease of 10 acres of land near Hamilton's Creek, Albury, for the purpose of Silk Culture.

NO.	PAGE.
1. Adolph Reiff to Under Secretary for Lands, applying for a lease of 10 acres of land, situate near Hamilton's Creek, within the temporary Common at Albury, for sericultural purposes; with minute thereon. 18 June, 1874.....	23
2. Officer in Charge, Occupation of Lands, to Adolph Reiff, in reply to above. 13 July, 1874	23
3. Adolph Reiff to Under Secretary for Lands, respecting his application. 14 September, 1874.....	23

No. 1.

23

No. 1.

MR. A. REIFF TO THE UNDER SECRETARY FOR LANDS.

Wilson-street, Albury,
18 June, 1874.

DEAR SIR,

The climate and soil of Albury being all that can be desired for the growth of the mulberry-tree (the food of the silk-worm), I beg to make application for lease for five years of 10 acres of land, near Hamilton's Creek, west of Johnston's, part of land reserved for temporary Common, to cultivate the mulberry-tree, as I intend to enter extensively into the rearing of silk-worms, and would pay £2 10s. per year rent for same.

I have, &c.,
ADOLPH REIFF.

This Common is I presume vested in Trustees?—A.O.P., 3 July, 1874. Yes.—E.O'D., 6 July.
Inform.—J.B.

No. 2.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, TO MR. A. REIFF.

Occupation of Lands,
Sydney, 13 July, 1874.

SIR,

Referring to your letter of the 18th ultimo, applying for permission to lease portion of the No. 1 Albury Temporary Common, for the purpose of silk culture, I have the honor to inform you that the Common is vested in Trustees.

I have, &c.,
A. O. PRETIOUS,
Officer in charge.

No. 3.

MR. A. REIFF TO THE UNDER SECRETARY FOR LANDS.

Wilson-street, Albury,
14 September, 1874.

SIR,

In your reply of [13th July] 27th August, to my application to lease a portion of the No. 2 temporary Common at Albury for sericultural purposes, you say the Common is vested in Trustees. I have made inquiries and am informed that the permanent Common is vested in Trustees, but not the temporary Common, and the land I applied for is on the temporary Common; I therefore trust you will grant my application.

I have, &c.,
ADOLPH REIFF.

7TH SCHEDULE of Correspondence relative to the application of Mr. John Howard to lease a portion of land situate at Spring Gully, near Albury, for Sericultural purposes.

NO.	PAGE.
1. Mr. John Howard to the Minister for Lands, applying to lease, with right to purchase, 20 acres of Crown land; for sericultural purposes; with minutes thereon. 21 April, 1875	24
2. Same to same, enclosing tracing showing situation of land applied for. 23 April, 1875	24
3. Officer in charge of Occupation of Lands to Mr. J. Howard, in reply to No. 1. 11 May, 1875	24
4. Mr. John Howard to George Day, Esq., M.L.A., respecting the land applied for. 13 May, 1875	24
5. Mr. John Howard to the Minister for Lands, inquiring if his application for lease has been favourably received; with minutes and tracing. 5 June, 1875	25
6. George Day, Esq., M.L.A., to the Minister for Lands, in reference to Mr. Howard's application; with minutes thereon, and enclosing letter from Mr. Howard. 14 June, 1875	25
7. Memo. by Officer in charge of Occupation of Lands, and report from Mr. Warden Brownrigg on same subject. 28 June, 1875	25
8. Officer in charge of Occupation of Lands to Mr. John Howard, with reference to his application for lease. 29 June, 1875	26
9. Same to George Day, Esq., M.P., on the same subject as No. 8. 29 June, 1875	26
10. John Howard to the Minister for Lands, inquiring if his application will be granted, and minutes thereon. 2 July, 1875	26
11. Memo. and Précis of above case. 12 October, 1875	26
12. Officer in charge of Occupation of Lands to Mr. John Howard, in reference to above. 28 October, 1875	26
13. John Howard to Under Secretary for Lands, applying to have 20 acres of land reserved for sericultural purposes. 21 February, 1876	27
14. George Day, Esq., M.L.A., to the Officer in charge of Occupation of Lands, on the subject of Mr. Howard's application; with minutes thereon—and letter from Mr. John Howard on same subject. 6 March, 1876	27

No. 1.

MR. J. HOWARD to THE MINISTER FOR LANDS.

Spring Gully, Lavington, near Albury,
21 April, 1875.

SIR,

I have the honor to apply that I may be permitted to lease for five years, *with right to purchase*, 20 acres of Crown land for sericultural purposes.

The said Crown land is in Spring Gully, about 5 miles north from Albury; under those circumstances I hope you will allow a lease to be granted to me:

I have, &c.,
JOHN HOWARD.

I am not aware of any case for which a lease has been granted for this purpose. Perhaps Mr. Pretious might be referred to.—O.R., 28 April, 1875.

Mr. Pretious, 28.

The applicant must describe the land he wishes to lease with greater precision. If it is within the Albury Common the Trustees have control, but they are by the Commons Regulations Act of 1873 precluded from granting leases for any purpose on any condition whatever.—A.O.P., 11 May, 1875.

No. 2.

MR. J. HOWARD to THE MINISTER FOR LANDS.

Spring Gully, Lavington, near Albury,
23 April, 1875.

SIR,

In my application for a lease of Crown lands on the 21st ultimo, I intended to enclose a tracing* showing the place where I want the land (marked blue). I herewith forward it.

*Appendix D.

I have, &c.,
JOHN HOWARD.

No. 3.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, to MR. J. HOWARD.

Occupation of Lands,
Sydney, 11 May, 1875.

SIR,

Referring to your application for permission to lease 20 acres of Crown lands, for the purpose of silk culture, at Spring Gully, near Albury, I have the honor to inform you that it will be necessary for you to describe the land you wish to lease with greater precision.

If it is within the Albury Common the Trustees have control, but they are by the "Commons Regulations Act of 1873" precluded from granting leases for any purpose on any conditions whatever.

I have, &c.,
A. O. PRETIOUS,
Officer in Charge.

No. 1.

No. 4.

MR. J. HOWARD to G. DAY, Esq., M.L.A.

Lavington, near Albury,
13 May, 1875.

SIR,

Since I wrote to you, Mr. Sarson and a German named Fugger commenced to fence in portions of the land I have applied for to lease.

There having been no improvements of any kind on the land when I applied for it I cannot make it out. My application is dated April 21st. Sarson and Fugger first commenced fencing and improving portions of the said land on May 10th.

I went this morning to Mr. Wood's office, and asked him if Sarson and Fugger had a prior right to the land? He would not tell me, but referred me to my lawyer. What I want to know is how do I stand at the Lands Office in my application for a lease of the land applied for? Is it favourably received or not, and has Sarson and Fugger any right to portions of the said block of land? If you will get that information from the Lands Office for me I shall be extremely obliged.

By the enclosed plan* you will see that Sarson has fenced in the only frontage of the block of land to the road and water (Spring Gully), thereby causing the remaining portion of the land unfit for sericultural purposes.

Missing

I am, &c.,
JOHN HOWARD.

No. 5.

25

No. 5.

MR. J. HOWARD to THE MINISTER FOR LANDS.

Spring Gully, Lavington, near Albury,
5 June, 1875.

SIR,

Since my application for a lease of 20 acres of Crown land for sericultural purposes, Mr. Sarson has fenced in a portion of the land, and all the frontage to the road and water of the block of land that I have applied for.

There was no improvement of any kind on the land when I applied for it (April 21st, 1875). Mr. No. 1 Sarson commenced fencing May 10th, and has now fenced in all the frontage.

Will you do me the honor to inform me if my application for a lease of the said block of land has been favourably received or not?

By the enclosed plan* you will see that Mr. Sarson has fenced in the only frontage of the block of land to the road and water (Spring Gully, Lavington), thus causing the remaining portion unfit for sericultural purposes. Appendix E.

I have, &c.,

JOHN HOWARD.

Refer to the Under Secretary for Lands.—J.L.

The Under Secretary for Lands.—H.W., B.C., Aug., /75.

For the information of the Officer in Charge of the Occupation Branch.—O.R. (for U.S.),
B.C., Aug., /75.

No. 6.

G. DAY, Esq., M.L.A., to THE MINISTER FOR LANDS.

Sydney, 14 June, 1875.

SIR,

I have the honor to enclose a letter from Mr. Howard, in reference to an application which he made to the Lands Department to lease some land situated on the temporary Common at Albury.

Mr. Sarson, referred to in Mr. Howard's letter, has at the present time secured 2 acres of land on the Common, and if he is allowed to improve the adjoining land in the way he is doing he will soon have the whole of the Common taken up by virtue of improvements.

I would take it as a favor if you would look into this case at your earliest convenience.

I have, &c.,

GEORGE DAY.

Inquiry should be made at Survey Office in reference to the application to purchase.—A.O.P.

The application for improvement purchase is under reference to Mr. Warden Vyner.—E.O'D., 17/6/75.

[Enclosure.]

Mr. J. Howard to G. Day, Esq., M.L.A.

Sir,

Lavington, near Albury,
7 June, 1875.

I am very sorry for troubling you so much, but Mr. Sarson is troubling me so—he has not only fenced in the entire frontage to the road but has now (June 7th) marked out all the land that I have applied to the Government to lease to me for sericultural purposes. It seems very strange to me that Mr. Sarson should be making improvements on the land and fencing it in while the lease is under the consideration of the Minister for Lands.

Will you kindly oblige by calling at the Lands Office, and asking the Minister for Lands if my application has been favourably received or not, or has Mr. Sarson a prior right to the 20 acres of Crown land that I applied to the Government to lease to me for sericultural purposes on the 21st April, 1875.

I am, &c.,

JOHN HOWARD.

No. 7.

MEMO. BY OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT.

I do not think it advisable to deal with any applications for special leases under the 30th section of the Occupation Act within a proclaimed gold field without reference to the Department of Mines.

Perhaps the Warden in charge might be asked to report on the several points raised in this correspondence.

A. O. PRETIOUS,

B.C., 28 June, 1875.

Inform Mr. Howard and Mr. Day, M.P., of reference.—A.O.P.

Refer to Mr. Warden Brownrigg with a request that he will be good enough to report thereon.—J.L.

Mr. Warden Brownrigg.—H.W., B.C., 7 July, 1875.

Memo.—As regards mining operations, the disposal of the land herein applied for would not in any way be injurious. I would however beg to point out that a somewhat similar application was made for almost the same portion of land by Arthur Hill as far back as the 30th August, 1873, and that the applicant was informed by a letter from the Lands Occupation Office, dated 5th April, 1874, that it was not deemed advisable to lease any portion of the Albury Temporary Common. Referring to Mr. Howard's remark about Sarson fencing in a portion of the area he (Howard) had applied to lease, I would observe that the 2 acres in question were not applied for by Sarson but by William Hoad (a relative of Sarson's), and that his application was forwarded to me by Mr. Warden Clarke to report upon, and having ascertained that substantial improvements to the extent of £16 9s. 6d. had been erected, and the ground partly cleared, I, under date 16th June last, reported in favor of its alienation not affecting gold mining interests.—MARCUS L. BROWNRIFF, Warden, Albury, 2/8/75.

Mr. Commissioner Crommelin has reported that he does not consider it advisable to lease any portion of the temporary Common.—E.O'D., 30/8/75.

26

No. 8.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, to MR. J. HOWARD.

Occupation of Lands,
Sydney, 29 June, 1875.

SIR,

No. 5. Referring to your letter of the 5th instant, respecting your application for a lease of portion of the Albury Gold Field, and informing me of Mr. Sarson's improvement thereon,—

I have the honor to inform you that I do not think it advisable to deal with any applications for special leases under the 30th section of the Occupation Act within a proclaimed gold field, without reference to the Department of Mines.

Your application and letters have therefore been forwarded to the Mining Department with a view to obtaining a report from the Warden in charge on the several points raised in the correspondence.

I have, &c.,

A. O. PRETIUS,
Officer in Charge.

No. 9.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, to G. DAY, Esq., M.L.A.

Occupation of Lands,
Sydney, 29 June, 1875.

SIR,

No. 6. Referring to your letter of the 14th instant, respecting Mr. John Howard's application to lease a portion of the Albury Gold Field and complaining that Mr. Sarson is taking up land in virtue of improvements, I have the honor to inform you that I do not think it advisable to deal with any applications for special leases under the 30th section of the Occupation Act within a proclaimed gold field, without reference to the Department of Mines.

The correspondence respecting Mr. Howard's application has therefore been referred to the Mining Department with a view to obtaining a report from the Warden in charge on the several points raised therein.

I have, &c.,

A. O. PRETIUS,
Officer in charge.

No. 10.

MR. J. HOWARD TO THE MINISTER FOR LANDS.

Lavington, Spring Gully,
Near Albury, 2 July, 1875.

SIR,

Not having received any reply to my application for to lease 20 acres of Crown land for sericultural purposes, will you do me the honor to inform me if it is the intention of the Government to lease the said 20 acres to me in Spring Gully, Lavington, that I applied for April 21st, 1875, or not.

I have, &c.,

JOHN HOWARD.

I know of no former application by J. Howard for this Reserve.—J.G.B., 6/7/75. Occupation Branch, 7 July. Mr. Howard was informed under letter of the 29th ultimo that his application had been referred to the Mining Department. This letter has probably crossed ours in the post.—E.O'D., 9/7/75. Seen.—A.O.P.

No. 11.

MEMO. AND PRECIS OF ABOVE CASE.

Let me have a *precis* concise of the facts of this case.—A.O.P., 12 Oct., /75.

Mr. Howard's is the only one of these applications undisposed of. The land he wishes to lease is on a gold field and also forms part of the Albury Temporary Common.

The Warden reports that there is no objection so far as mining is concerned, but Mr. Crommelin has already reported that it would not be advisable to lease any portion of the temporary Common.

As all the other applicants have been refused I do not see how Mr. Howard's could be granted.—E.O'D.

For letter accordingly.—A.O.P.

No. 12.

THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT, to MR. J. HOWARD.

Occupation of Lands,
Sydney, 28 October, 1875.

SIR,

No. 7. Referring to your application for permission to lease 20 acres of the Albury Temporary Common for sericultural purposes, I have the honor to inform you that I do not think it advisable to recommend that any portion of the temporary Common should be leased.

I have, &c.,

A. O. PRETIUS,
Officer in Charge.

No. 13.

27

No. 13.

MR. J. HOWARD TO THE UNDER SECRETARY FOR LANDS.

Spring Gully, Lavington, near Albury,
21 February, 1876.

SIR,

Having seen in the *Gazette* that the Government have reserved to Mr. Thomas Affleck, of Albury, 20 acres of land, No. 223, for sericultural purposes under the new Act, on the temporary Common, Albury,—

I have the honor to apply that I may be permitted to have reserved for sericultural purposes, 20 acres of Crown land in Spring Gully, Lavington, near Albury, and adjoining the west boundary of 6 acres of improved Crown land that I have applied for to purchase.

I have the honor to enclose a sketch showing the land marked "blue" that I want reserved for sericultural purposes. See Enclosure to No. 2.

I have, &c.,
JOHN HOWARD.

No. 14.

G. DAY, ESQ., M.L.A., TO THE OFFICER IN CHARGE, OCCUPATION OF LANDS DEPARTMENT.

Sydney, 6 March, 1876.

SIR,

On the 21st April, 1875, Mr. John Howard, of Albury, applied to lease 20 acres of land on the temporary Common at Albury, and at that time the Government refused his application. Since the correspondence closed on the above subject, 20 acres of land has been reserved from the Common for sericultural purposes (for it is presumed Mr. Affleck). This land is immediately adjoining the land which Mr. Howard applied for, and as the Government have made reservation for one person they will surely make the same for another. See No. 1.

Under the circumstances I have the honor to request that you will have the kindness to examine the papers again in this case, and if possible grant Mr. Howard's request.

A large amount of money has been laid out on this land of Mr. Howard's, and he still wishes to continue the investment.

I have, &c.,
GEORGE DAY.

The Reserve referred to was made on the District Surveyor's recommendation.—E.O'D., 8/3/76. Is there any application at Lands for special lease of land so reserved?—A.O.P., 11 Mar., 1876. There does not appear to be any such application.—E.O'D., 12 Mar., 1876.

[Enclosure to No. 13.]

Lavington, near Albury,
21 February, 1876.

SIR,

In the "*Albury Banner*" for 15 February, 1876, appeared the following paragraph:—

"RESERVE FOR SERICULTURE.

FROM the *Gazette* we learn that the undermentioned portion of land on the permanent Common has been reserved for sericultural purposes:—

County of Goulburn, parish of Albury, about 20 acres. The Crown lands within the following boundaries: Commencing on the west boundary of the Albury Permanent Common, at the south-east corner of portion 225; and bounded on the north by the south boundary of that portion bearing west 16 chains 54 links; on the west by a line bearing south 12 chains 14 links; on the south by a line bearing east 16 chains 54 links to the west boundary of the permanent Common aforesaid; on the east by that boundary bearing north to the point of commencement."

I called on Mr. Affleck to-day about it; he said it was reserved for him. If the Government can reserve 20 acres for sericultural purposes to him, will the Government reserve 20 acres for the same purposes on the western boundary of the land that I have improved and applied for to purchase—21st April, 2 acres; 5th June, 2 acres; and 26th July, 1875, 2 acres, in all 6 acres of enclosed improved Crown land I applied to purchase under the 8th clause of the "Crown Lands Alienation Act of 1861"? I have already laid out on the land over £300 for sericultural purposes—clearing, fencing, trenching, and planting mulberry-trees; also building a cottage, &c., &c.

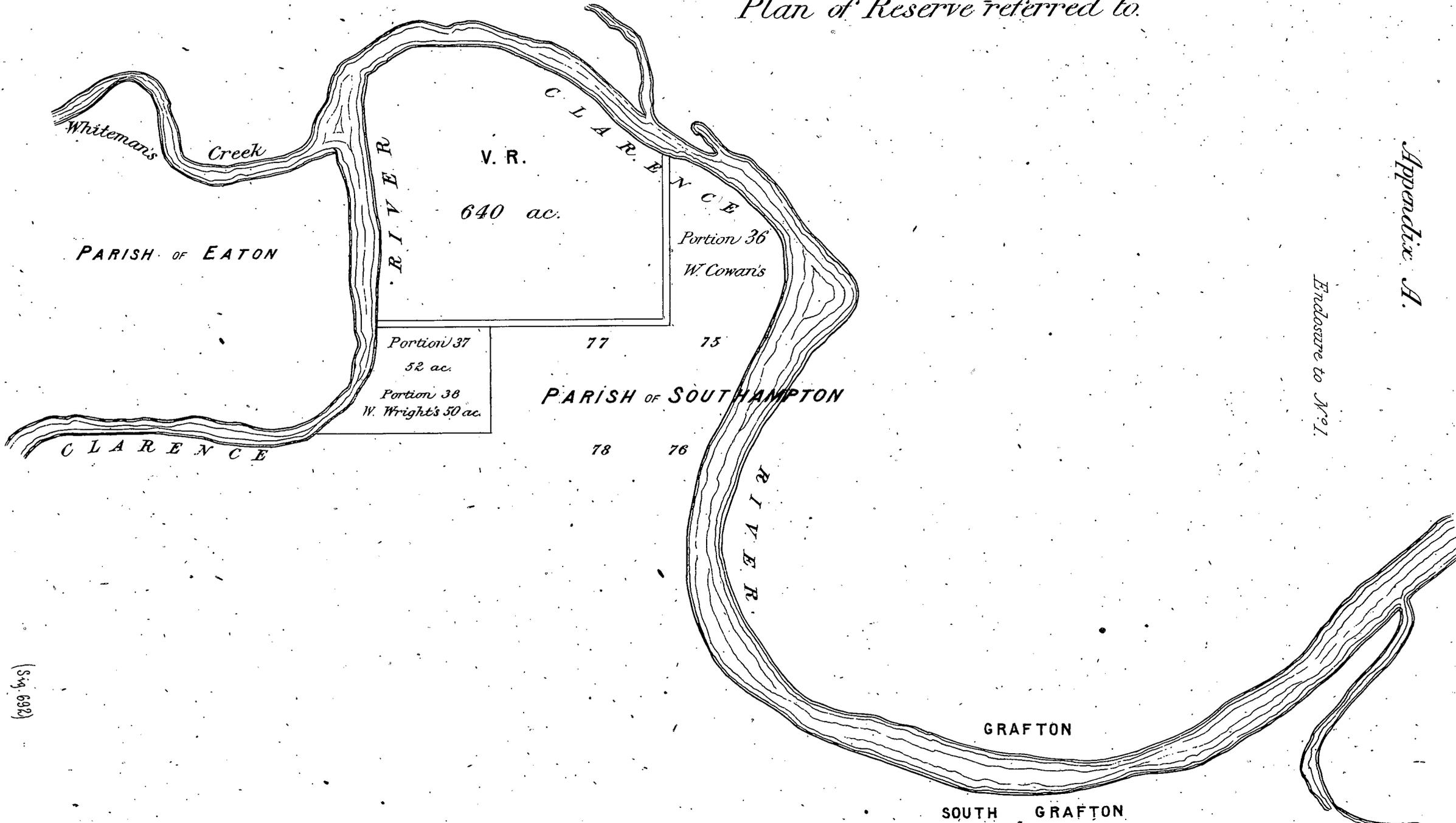
If the Government will reserve the vacant piece of Crown land on my western boundary for sericultural purposes I can still further extend my operation; as it is now I want more land; no one can make sericulture pay unless they have not less than 20 acres of land. If you will forward this at the Lands Office for me I shall be extremely obliged.

I am, &c.,
JOHN HOWARD.

I understand the Government can reserve land for sericultural purposes under the new Act; I have applied to have the land reserved; Mr. Affleck informed me it was not necessary; he knew nothing about it till he saw it in the *Gazette*. I have enclosed a sketch showing the land marked (blue) that I want reserved for sericultural purposes.—J.H. See Enclosure to No. 2.

[Five plans.]

Plan of Reserve referred to.



Appendix A.

Enclosure to No. 1.

(Sta. 692)

GRAFTON
SOUTH GRAFTON

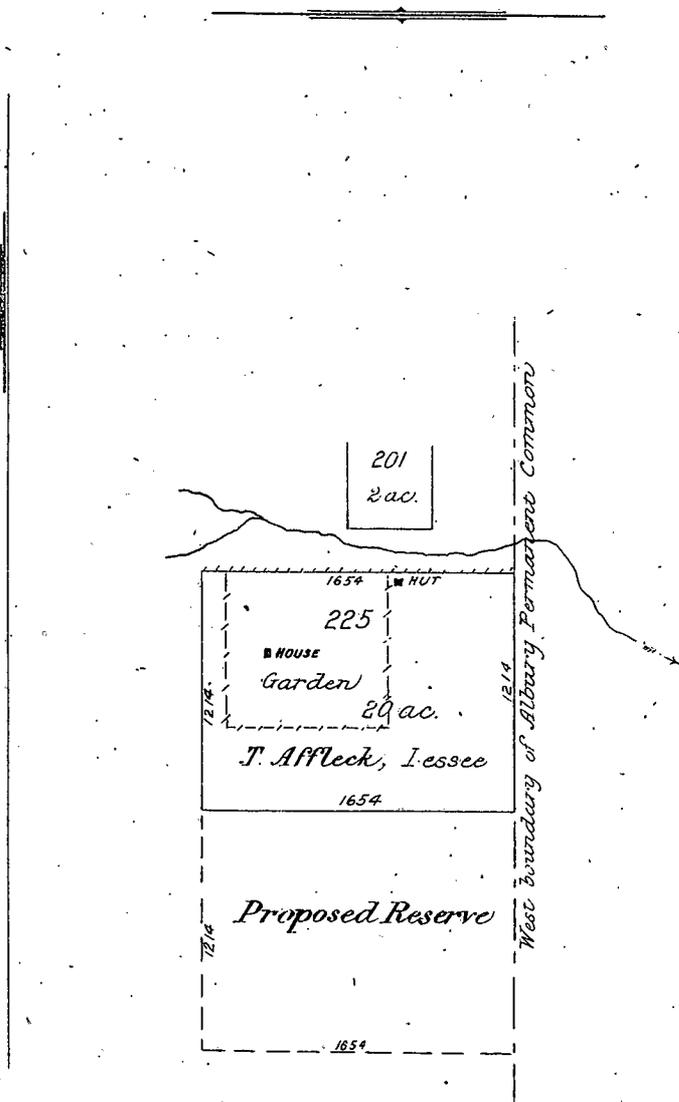
TRACING

Showing the position of

RESERVE

Applied for by M^r Thomas Affleck,

Parish of Albury, Co: Goulburn.



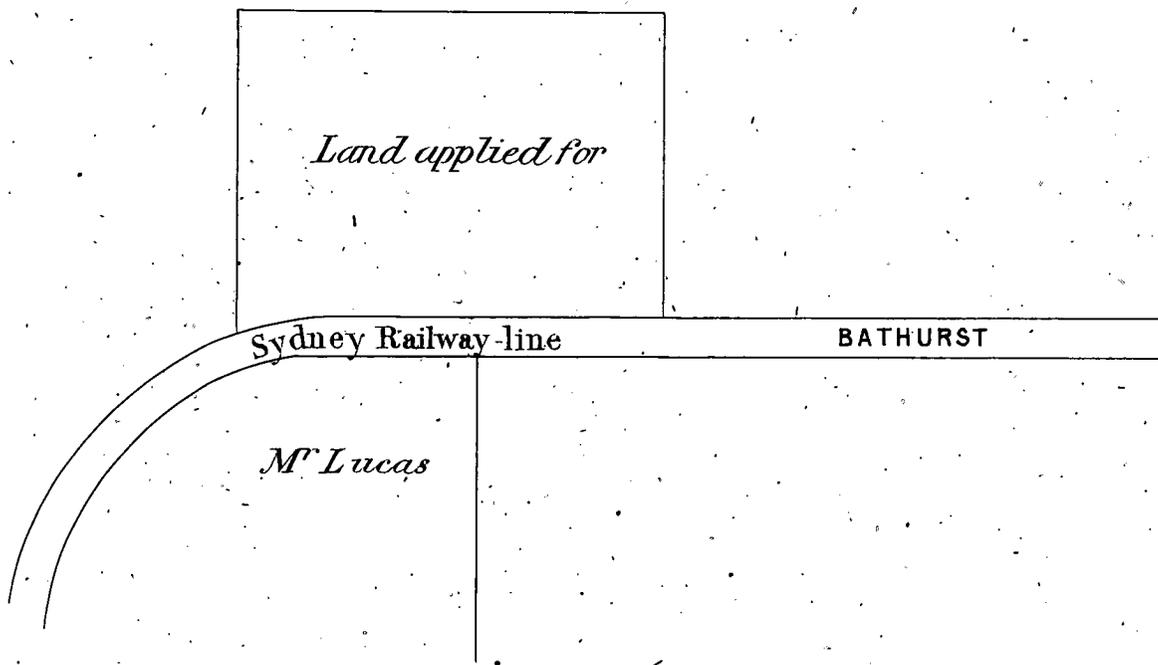
Transmitted to the Surveyor General with my Letter.

N^o 73/30, 10th November, 1875.

(Ssg^a) J. H. Wood, D.S.

Appendix C

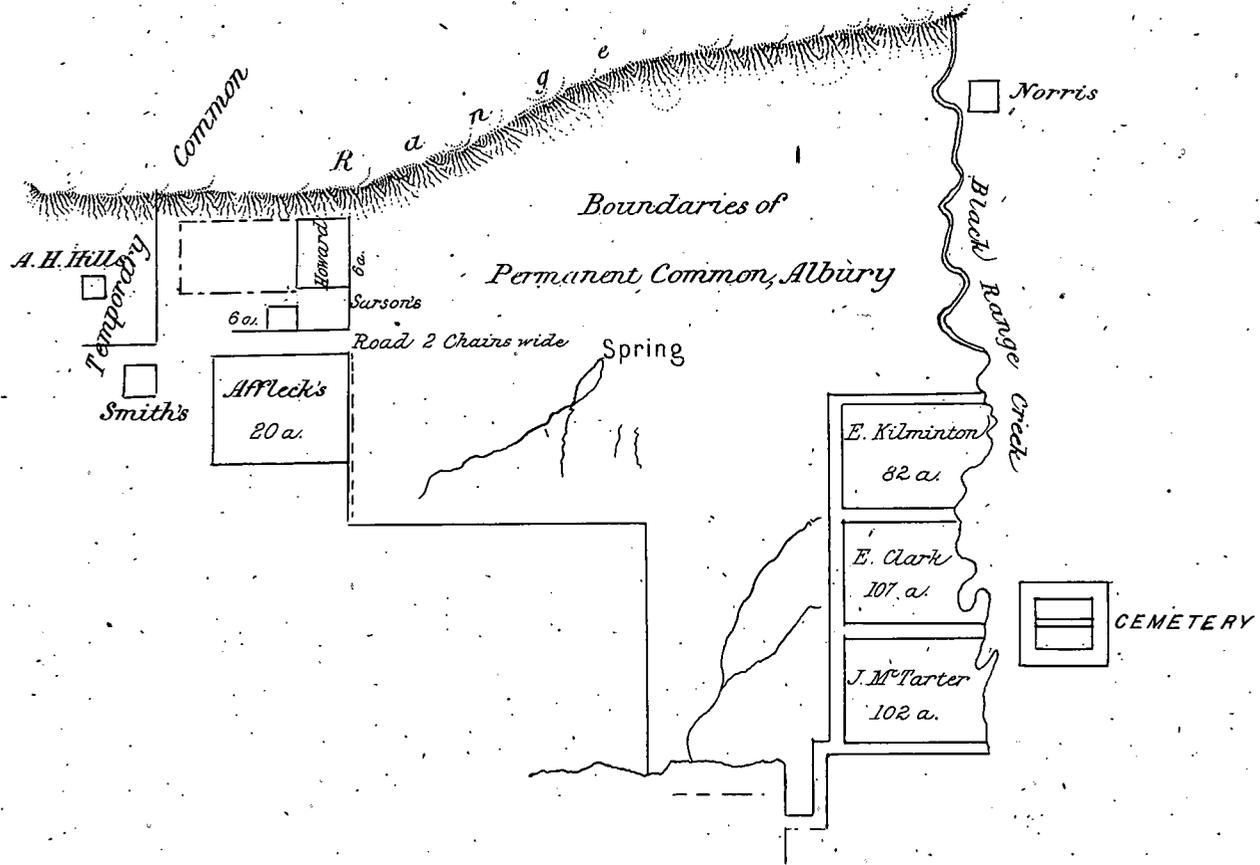
Enclosure to N^o 3.



(Sig 692)

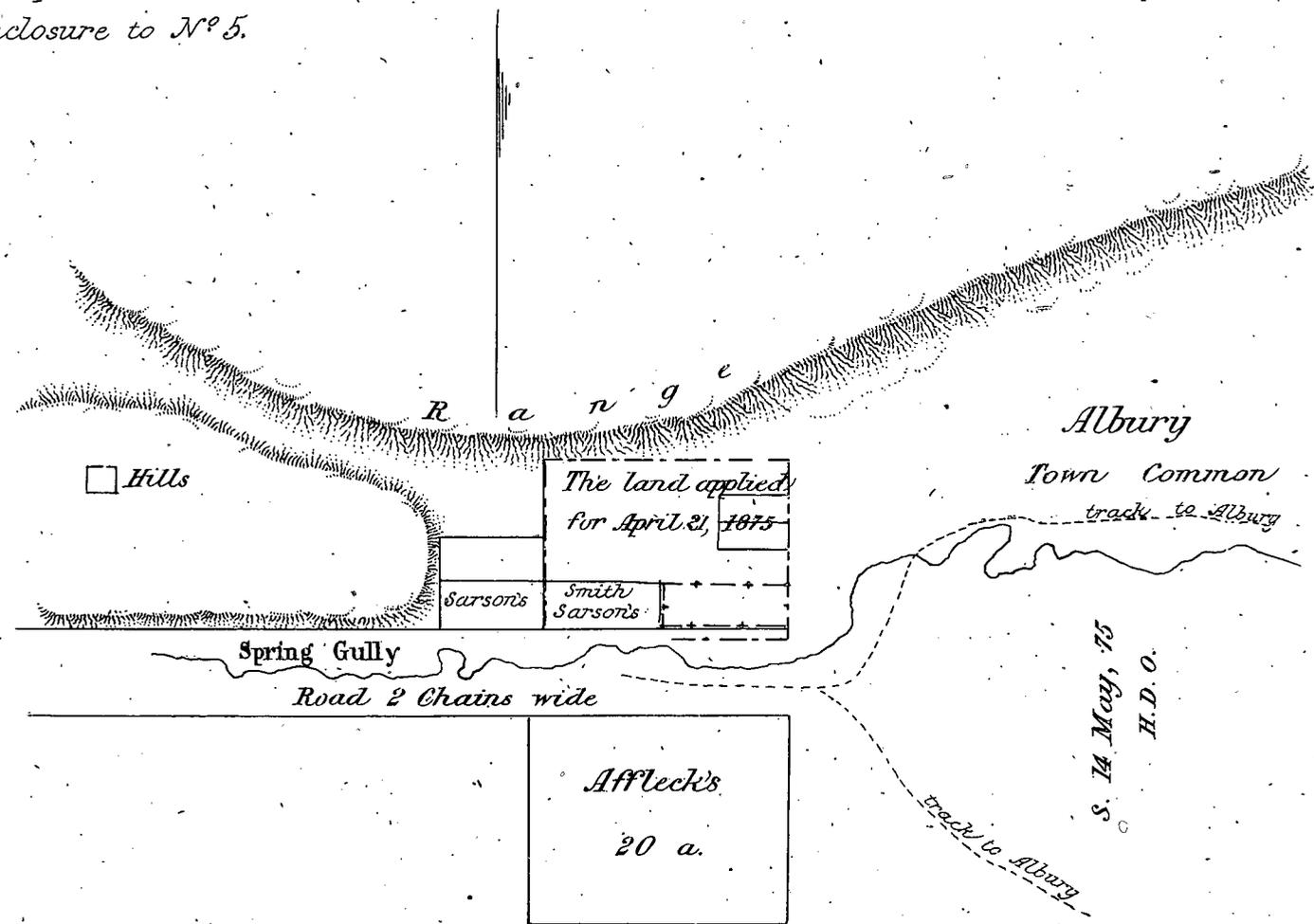
Appendix D.

Enclosure to No 2.



(Sig. 692)

Enclosure to N^o 5.



The land applied for shown thus -----
 The portion of the block marked thus - * * * -
 M^r Sarson has fenced in.

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SERICULTURE.

(PETITION OF CHARLES BRADY.)

Ordered by the Legislative Assembly to be printed, 18 May, 1876.

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

The Petition of Charles Brady,—

SHOWETH:—

That your Petitioner has for many years devoted himself to establish in Australia, and particularly in the Colony of New South Wales, the production of silk and of silkworm grain as industrial pursuits new and valuable to the colony.

That although mulberry silkworms of various kinds had previously been introduced into this and into other Colonies, no one before he so devoted himself had succeeded in establishing this industry as a productive occupation on the soil of Australia.

That the continued failure after many attempts to do so, either by public bodies or by private individuals, pointed clearly to the necessity of systematic and earnest studies and of a series of rigid investigations, to ascertain and demonstrate the conditions under which success would be accomplished. And further, following up the knowledge and experience gained to apply ascertained means and acquired stock to the end desired, namely, the ready raising of silk by ordinary people as a common crop in Australia.

That previous to the operations of your Petitioner, the continued existence in Australia of any valuable races of mulberry silkworms was unheard of, and no indigenous mulberry silkworm has its habitat in any part of the Southern hemisphere.

That before the year 1851, in Europe as well as in Asia the rearing of silkworms, although they were always subject to various and complicated diseases, was not more risky than the raising of other stock and productions dependent on soil and season, but was regarded as at least equally sure, and at the same time the most profitable of all agricultural pursuits, and still is so regarded if only sound grain be obtainable—in other words, reliable brood stock, silkworm seed or eggs of approved varieties, races, or breeds.

That about and after the year named, disease of a special and peculiar nature began to attack the mulberry silkworm, and spreading with extraordinary rapidity soon destroyed all the old established and finest races on all the entire continent of Europe. That the disease still exists in an aggravated form, and has extended to every other silk-growing country in the world.

That except the races of China and Japan (which, however, are known to be infected), greatly inferior to those of Europe, all the best, most useful, and most valuable varieties and breeds of mulberry silkworms in every country are nearly if not absolutely extinct, and that for all practical purposes the famous races of Europe, which yielded annually many millions of pounds sterling in value, are absolutely lost.

That as one consequence of the disease referred to, European rearers of silkworms have been for years past, and are still necessitated to procure from elsewhere silkworm grain of such inferior kinds as only are now procurable, and which serve as a makeshift—that the whole silk industry in Europe has been disorganized—and the labour material of millions of people reduced to a very low condition both as to quantity and quality.

That it seems impossible to over-state the extent of the market for raw silk or for silkworm cocoons; the demand for silk in all civilised countries appears more than likely to outrun for many years the world's present powers of supply.

That after much inquiry, study, and reflection, deeply impressed with the premises, and seeing in strong faith the noble opportunity for an earnest endeavour to render not only the highest service to the several important nations in Europe, but at the same time to enormously enhance the prosperity of Australia, your Petitioner, in the year 1865 abandoned all other thoughts and occupations, and resolutely devoted himself to bring together materials from Home and foreign sources wherever procurable, to study, to inquire into, and to search out cause and effect, to experiment and to practise, to work up—to master—the whole subject in all its details and its bearings.

That in his own mind the self-imposed task and aim of your Petitioner was to rehabilitate one of the greatest and most profitable industries of the old world by a judicious application of the natural resources of a new, a virgin, and unquestionably healthy and fertile land. Also to implant the same in Australia by giving information and results of study, personal assistance, and by "free distribution of any quantity of acclimatized silkworms, or silkworms' eggs, of any variety and races or species which I might possess, that might be needful to spread the culture throughout the colony."

Parliamentary paper, 1870. Pamphlet edition, p. 45.

That in the very beginning, and as part only of his difficulties to overcome at starting, it was, by reason that no sound stock of even a single one of any of the many old kinds of valuable mulberry silkworms was procurable in Europe, or in Asia, or indeed anywhere, essential to obtain from all countries (their native sources) the best they had, such as actually existed, even though severely diseased, and to endeavour, by a long persistent course of investigation, experiment, and practice, to free the best or indeed any varieties or breeds from the devastating and fatal disease which then as well as now rendered silk husbandry in Europe, with the old races peculiar to their several countries or districts, an impossibility.

That after many failures, and much exhaustion of mind and body and of means from the strain of long-continued exertion and expense, and much privation and injury to the health of his family as well as his own, your Petitioner had about the year 1870 so far succeeded as to have in his possession a very considerable collection of the finest silkworms in existence, healthy, and fully acclimatized in the colony.

That his long trial, his efforts, and procedure were observed by many persons, and his success witnessed by gentlemen who perceived and appreciated the importance of his labours.

That during the progress of his studies and experiments in endeavouring to find out its exigencies and requirements to adapt and reconcile them to new as well as to local conditions, and thus settle silk husbandry in these colonies on principles calculated to ensure prosperity to all persons who might undertake the, to them, novel industry, your Petitioner made known from time to time the results of his experience and his views as to successful practice—he proved the great advantages possessed by colonists in the climate and soil of Australia—he demonstrated the special means we possess by natural causes and influences to breed out disease and to produce healthy silkworm grain—to create a stock sufficiently strong for export to Europe—to maintain in exceptional health and strength, and to yearly increase in vigour particular brood stock for stud purposes within the colony—he made known his singular and important discovery relative to the hybernation of silkworms which (being before then universally considered of an unvarying character) practically offered serious difficulties and objections to a general culture of silk, until his discovery and test by experience showed them to be not inflexible characteristics but to be subject within certain limits to the strictest control of the cultivator; a control which gives the rearer power to avoid the greatest (in Europe as well as in Australia) risks in the rearing of silkworms, namely, the danger in spring of unduly backward or forward seasons, and to select the most propitious weather, or most convenient period of the year—a system easily carried out and peculiarly advantageous, because it greatly economizes the actual cost and expenses of labour, and also because it renders available, and a considerable source of profit, much provision that before was necessarily wasted and lost. Your Petitioner would instance, in illustration of the power gained, of the controlment of certain peculiarities of hybernation, the faculty now at command of Australian silkworm husbandry to obtain and maintain daily day by day for a lengthened period a continuous rearing at any time, and for any length of time desired, from the most valuable breeds (which are strictly annual only in their course) continuous crops of silk daily for so long a time during the year as food-leaf may be growing or in a state fit for use—a period in this country of about eight months—as a consequence of this faculty, a vast addition to the power of production and of results in crops for home use or for export. Also, by reason of this prolonged and continuous experience an immensely increased economy of labour, greatly enhanced knowledge, skill, and expertness in the operatives employed; who under this process could obtain in a single year more experiences than can now be obtained in Europe by several years of practice—and yet more the superior opportunities presented by contemporaneous rearings under varied conditions, in different portions of the colonies (climate, soils, food, &c., being different), to improve breeds by judicious use of remarkable instances of excellence—improvement which your Petitioner ventures to predict may in wise and able hands create in Australia races as superior to European of modern times as those of Europe were to their ancestors of Asia, from whom they were descended.

That your Petitioner, however, in limitation of his statement, wishes it to be understood that whether it be desired to produce in the Colony good silkworm grain for the raising of silk in one or in often recurring crops in Australia, or to breed for and prepare silkworm grain specially for reproduction in Australia, the *yield* of which *reproduction* should form annually an important export hence to Europe and other places, to be there reared for silk purposes only and then *disappear*, or to maintain a high class of pedigree stock, selected and treated with exceptional rigour to constitute during every year and year by year the parent or foundation brood stock for all purposes immediate and future, it is (by reason of the comparatively recent convalescence and liability to relapse of any valuable kind of mulberry silkworm) indispensable that provision be made for isolated rearings in very small numbers (each variety, kind, breed, or family being distanced from every other) on appropriate varieties of food, that these separate rearings be carefully superintended during their progress, and especially that the resulting stock be duly subjected at the proper times to the necessary heat, cold, and moisture.

That your Petitioner would emphatically state that whether for his own purposes or national success it is essential to apply to silkworm grain in process of renovation the severest rigours of winter, such as can only be obtained in the elevated snowy region of the Australian Alps.

That the rearing and treatment referred to have been carried out by your Petitioner heretofore as far as practicable, by artificial means, involving unnecessary expense, risk, and labour, whereas the country and climate naturally present the required conditions combined with the utmost efficiency and economy.

That in the opinion of your Petitioner the principles of subdivision of labour will be found in the highest degree feasible with regard to the production of silk in Australia.

That much interest and inquiry have been manifested generally on the subject in this and in the neighbouring colonies, and that there has been laid before your Honorable House and the country a large amount of information thereon. That all the materials for this husbandry are now available on the spot, and are capable of great and rapid extension. That it is believed these were acquired together with other advantages would be eagerly seized by people in all conditions of society, if knowledge of how to proceed could be diffused, and early guidance, together with some experience or view of operations, extended to fresh beginners. That until a school of experts rise in the Colony, and the rural population in some degree become initiated in the art of rearing silkworms, the progress of the industry must necessarily be slow and its general extension altogether disproportionate to the proved natural resources of the Colony.

That results secured by your Petitioner in a comparatively short time (he having been able to raise sufficient grain for export early in 1870) were thought to give promise of a great future for the country. That in consideration of the wishes and representations of gentlemen who regarded the work done by, and the stock acquired by your Petitioner as the materials, till then unattainable, for the development of a new and most important staple, and especially in deference to the suggestions of Mr. Thomas Sutcliffe Mort, Dr. George Bennett, and other well known colonists, who had for years been cognizant of his labours, your Petitioner was induced to forego his intention to export his produce to Europe or California, and by its disposal abroad recoup part of his outlay. Moved by Mr. Mort's earnest entreaty not to let the Colony lose the advantages of the possession and extension of the healthy grain within the Colony, coupled with the positive and repeated assurances of the Colonial Secretary, Mr. Cowper, both to Mr. Mort and to himself, that your Petitioner's interests should not be prejudiced, he was induced to retain his stock in the Colony and to enter into negotiations with the Government. Public comments on these negotiations and their unsatisfactory conclusion, indicating that they were not clearly understood, your Petitioner had occasion to show their true nature in a statement which was printed as follows: "In the beginning of last year (January, 1870) I had just completed the rearing of a considerable number of my best kind of silkworms, the stock of which I had raised year after year with extreme care and labour. They were several of the finest races peculiar to Europe, and the most valuable of any in existence. I had for a lengthened period lavished every care to render them free from disease, and to give them so sound a condition of strength as well as health that they might not only be a reliable source for other silk-growers in the colonies, but form the foundation of an export of eggs (silkworm grain,) from the Australian Colonies, to those countries in Europe, where their value would be understood. In January, 1870, notwithstanding the impediments of a severe illness from over work, which had prostrated me for several weeks at the most critical period of the rearing, I had a large quantity of grain, and as my illness was mainly caused by exhaustion from too long and too unremitting attention by night as well as by day, I naturally thought that though the crop had been materially lessened in amount by the failure of my health, I ought to apply it to the relief of my exchequer, and also, if possible, to procure personal assistance to relieve me in future in some degree

degree from the risk of over-exertion. Meeting with Mr. Mort, I asked his advice about verifying the nature of the stock and entry for export, so that I might in any eventuality be entitled to any honor or advantages which might be awarded to the first to make such an export. Mr. Mort did not quite at first comprehend the necessities of my position, and with rather more warmth than I relished reproached me with my want of patriotism. I could only reply that it was no matter of patriotism but simply of paying my debts, and that if I did not use the proceeds of my work to discharge my obligations I should be more fairly open to reproach as I had no other means left. After some mutual explanations Mr. Mort insisted it was a case for the Government to act in, for if the stock which had cost so much time, labour, and expense to introduce, and which was unique in its character, was sent out of the country, in all probability I should go with it, and the Colony would never have such a chance again. I rejoined that that consideration ought not now to influence me to incur the peril of delay, and expressed my want of faith in anything to come from the Government. Mr. Mort combated my reluctance and proposed to be the medium of communication, and also to make it, as far it could be done with propriety, a personal one to carry some arrangement through. The school plan was mooted and others, and on Mr. Mort's personal assurance that I might rely on something being done to justify my keeping the stock in the Colony, I relinquished the idea of parting with my produce to be realized in Europe or California. Had I sent the grain forward I have good reason to know I should have had in due course returns to the amount of several hundreds, probably not far short of £1,000. Mr. Mort without any avoidable delay represented the matter to the then Colonial Secretary, and I was invited to see Mr. Cowper in person. To my great surprise Mr. Cowper entered warmly into the expediency of an arrangement with me, and agreed, if his colleagues should assent, to place £500 at once at my disposal, upon my undertaking to retain the stock in the Colony, and to continue operations so as to make an export of value and yet secure enough of the best breeds of silkworms for the benefit of the public. All the then Members of the Cabinet but one approved of this arrangement, but as the one objected the whole negotiation fell through, and I was left to get on as well as I could. The season for export from here had passed during this futile treaty. I had declined other plans which would have given me a personal income as well as interest in my earnings, and I found myself with a quantity of many valuable kinds of worms, with quite inadequate provision to rear them."

That the promises of Mr. Cowper at that time made to Mr. Mort and to your Petitioner included both land and money, in order that the Colony might share with your Petitioner the prestige and advantages of what had been actually accomplished through himself alone, and that this Colony might take up the work at the point to which your Petitioner had brought it. And it should be mentioned that the results obtained in divers forms were witnessed at different times by a considerable number of persons, and it was within the knowledge of some of them that your Petitioner, by special culture of varieties of mulberries during the springs, summers, autumns, and winters of more than three whole years had succeeded in raising successive small crops of silk from annual mulberry silkworms daily for a period of upwards of one thousand consecutive days, thus illustrating and demonstrating his newly-discovered power of controlling hibernation, as well as the amazing economic power of improved production at our disposal, a power in the hands of colonists capable even at the highest colonial rates of wages if wisely exercised, of overruling all competition from countries which rely on cheap and inefficient or inartificial labour and processes.

That your Petitioner, though seriously disturbed by a loss of property and opportunity which would in all reasonable probability have realized a sum at that time to him of material moment, again settled to work, and by great exertion effected another season's operations, which, being completed (circumstances necessitated that he should alter his line of action), and having resolved to change his residence, he made representations to the Government, and was authorized by the then Minister for Lands (Mr. Robertson) to select 1,280 acres of waste land, to be reserved and leased to your Petitioner. That the said Minister orally assured your Petitioner that he (the Honorable John Robertson) would introduce a Bill into your Honorable House, in order that Parliament might be moved to authorize the issue to your Petitioner of a freehold title or grant to the land in question; that your Petitioner took much pains and incurred expenses in selecting suitable land, and, having so done, reported his selection on 11th February, 1871, namely, a certain portion of land on the Tweed River, some miles distant from that part of the district where he subsequently took up his residence; that during the time he necessarily expended in making his selection he forwarded to the Tweed River considerable numbers of his most valuable plants, and also the best portion of the new stock of silkworms which he had been able, by great effort, to recover from the crisis of his disastrous negotiations of the previous season; that, in answer to his letter reporting particulars of his selection and requesting formal authority to occupy, &c., your Petitioner, to his surprise, received a positive refusal from the Government to hold itself bound by its own official act, in faith and reliance on which your Petitioner had broken up his old establishment, embarked his property and the whole remaining fruit of his long labour to a distant part of the Colony.

That your Petitioner, both personally and in writing, respectfully and temperately remonstrated with the then new as also with the ex-Minister (there having in the interim been a departmental change of Ministers), but could obtain only the offer of a compromise, namely, "permissive occupation" of one quarter of the land he was authorized to select.

That your Petitioner, indignant at this disregard of official engagements and at the loss of his property (which had been forwarded past recall to the Tweed by sailing vessel) he remaining in Sydney only to wind up affairs and immediately follow by steamer, felt on this second occasion that his public duty and his own personal honor required him to desist, as derogatory to his personal self-respect, from further treaty with the Government, and to occupy himself to rescue as much as he could from a wreck and sacrifice so unexpected and humiliating.

That your Petitioner was thus a second time subjected to serious loss by a breach of faith by the Government, and also put to great inconvenience and expense by the necessity of being in Sydney away from the seat of his operations during the time these negotiations were in progress.

That on a change of Ministry your Petitioner was induced to modify his resolution and to ask for a reserve for silk culture of 1,280 acres of land on the Tweed River to be leased to him. The land sought was approximately described without your Petitioner or any one on his behalf having examined it. He was authorized to occupy, and accordingly did so. That on his arrival, owing to the land being a dense scrub, and without marks or visible boundaries, and to the urgency of the case as well as to the nature of his property (which being insects whose brief lives and quickly-recurring phases of existence exacted his time and attention), his proceedings were necessarily a venture: Your Petitioner, finding a suitable spot for a camp and a nursery, inadvertently made improvements, and now resides on Crown Land, which is not technically the precise land leased but adjoining, namely, on another reserve otherwise unoccupied and useless.

That your Petitioner, however, did not fail orally to acquaint the Honorable the Minister for Lands and the officer in charge of occupation of Crown Lands with what he had done, and that under any circumstances, owing to the nature and lay of the ground, occupation of this reserve or a portion of it is necessary for access to and beneficial occupation of the silk reserve. That the matter not being of immediate importance and understood by the Minister it was considered unnecessary for your Petitioner to do more, and also because the Government of the day contemplated submitting to your Honorable House proposals in regard to the whole subject of silk culture both in reference to the position of your Petitioner and the general advancement of the industry as a matter of public policy.

That your Petitioner, aware that much misapprehension exists both as to the nature and value of the work done by him, and as to the general principles upon which Government influence and action should be exercised, in support of projects similar in character to that of your Petitioner ventures to submit the recorded opinions of philosophic minds, of men distinguished in the arts and sciences and in the science of political economy, whose brief remarks appear peculiarly apposite.

Lord

Lord Bacon, in *Novum Organum*, 1620, wishing "to quicken the industry, and rouse and kindle the zeal of others," says, "the introduction of famous discoveries appears to hold by far the first place among human actions, and this was the judgment of former ages. For to the authors of inventions they awarded divine honors, while to those who did good service to the State, such as founders of cities and empires, legislators, saviours of their country from long endured quarrels, quellers of tyrannies and the like, they decreed no higher honors than heroic. And certainly if a man rightly compare the two, he will find that the judgment of antiquity was just. For the benefits of discoveries may extend to the whole race of man—civil benefits only to particular places; the latter not beyond a few ages; the former through all time. Moreover, the reformation of a State in civil matters is seldom brought in without violence and confusion; but discoveries carry blessings with them, and confer benefits without causing harm or sorrow to any. Now the empire of man over things depends wholly upon the arts and sciences; for we cannot command nature except by obeying her."

Mr. John Stuart Mill, in "Principles of Political Economy," 1865, vol. II, book 5, chapter 10 (pp. 537-538), "Protectionism," says:—"The only case in which on mere principles of political economy protection duties can be defensible is, when they are imposed temporarily (especially in a young and rising nation), in hopes of naturalizing a foreign industry in itself perfectly suitable to the circumstances of the country. The superiority of one country over another in a branch of production often arises only from having begun it sooner. There may be no inherent advantage on one part, or disadvantage on the other, but only a present superiority of acquired skill and experience. A country which has this skill and experience yet to acquire may in other respects be better adapted to the production than those which were earlier in the field; and, besides, it is a just remark of Mr. Rae, that nothing has a greater tendency to promote improvements in any branch of production than its trial under a new set of conditions. But it cannot be expected that individuals should, at their own risk, or rather to their certain loss, introduce a new manufacture, and bear the burden of carrying it on until the producers have been educated up to level of those with whom the processes are traditional."

Again, Mr. John Stuart Mill, in chapter "Limits of the Province of Government," at conclusion of the same work, says (pp. 606-607):—"In the particular circumstances of a given age or nation there is scarcely anything really important to the general interests which it may not be desirable or even necessary that the Government should take upon itself, not because private individuals cannot effectually perform it, but because they will not. At some times and places there will be no roads, docks, harbours, canals, works of irrigation, hospitals, schools, colleges, printing presses, unless the Government establish them; the public being either too poor to command the necessary resources, or too little advanced in intelligence to appreciate the ends, or not sufficiently practised in joint action to be capable of the means. In many parts of the world the people can do nothing for themselves which requires large means and combined action; all such things are left undone, unless done by the State."

"In these cases the mode in which the Government can most surely demonstrate the sincerity with which it intends the greatest good of its subjects, is by doing the things which are made incumbent on it by the helplessness of the public, in such a manner as shall tend not to increase and perpetuate but to correct that helplessness. A good Government will give all its aid in such a shape as to encourage and nurture any rudiments it may find of a spirit of individual exertion; it will be assiduous in removing obstacles and discouragements to voluntary enterprise, and in giving whatever facilities and whatever direction and guidance may be necessary; its pecuniary means will be applied, when practicable, in aid of private efforts, rather than in supercession of them; and it will call into play its machinery of rewards and honors to elicit such efforts."

Professor John Tyndall, in preface to his "Fragments" (1872, fourth edition), acknowledging receipt from Monsieur Pasteur of various important books and papers, and among them one entitled "Pourquoi la France n'a pas trouvé d'hommes supérieurs au moment du péril?" says "it contains many remarks which may be wisely laid to heart in England."

"The bearing of his views on the question of technical education now so much spoken of in England, will be apparent to every reader of the following translation of the more purely scientific portion of the article referred to. Its introduction in this place would be incongruous were it not that the main object of the various essays published in this book" (Fragments) "was to create a public interest in science as a source of knowledge and as a means of culture, without present regard to its material results. But the issues of studies animated by this spirit are incalculable, for although undertaken with no practical intent, they are really the prime movers of all practice. If the purely scientific discoverer die out, practical applications cannot long survive him."

"Happily, the Universities of England are becoming more and more alive to the importance of that *culture of research* which Monsieur Pasteur presses so earnestly upon the attention of France. To them assuredly the nation has a right to look as the proper foster mothers of original inquiry, and the nurseries of true scientific investigations. "Our age is distinguished from all preceding ages by a prodigious scientific and industrial development; at no epoch of the world's history is there to be found such an accumulation of discoveries and of new applications to the arts, the industries, and the material well-being of Societies. It would be a great illusion to suppose that the results to which I refer are the fruits of rapid labour or the fortunate concurrence of certain coincidences."

"Progress in the natural order of things resembles the unfolding of a leaf or of a flower which only reveals itself to our wondering eyes after a slow and obscure elaboration of its parts."

"Discoveries also have their concealed and invisible germs, which are productive in proportion as they have been prepared by genius, by labour, and by long efforts; these are the sources of their life and of fertility."

"Few persons comprehend the real origin of the marvels of industry and the wealth of nations."

"In our eager pursuit of practical results the high preparatory studies contended for by M. Pasteur as essential are only too likely to be underrated or overlooked."

"At all times, says our great physiologist, Claude Bernard, new ideas and discoveries behave as seeds. It suffices not to plant them merely; they must be nourished with scientific culture, otherwise they die or emigrate to be seen perhaps prospering and fertilizing on soils far distant from those which gave them birth."

That your Petitioner has established a valuable nursery on the land hereinbefore referred to, of such kinds of naturalized silkworms as remained to him, descendants of the portion recovered from the effects of his previous evil fortunes, and also of mulberry trees of the most approved varieties in considerable numbers, flourishing and in excellent growth. That considerations pressed upon him by the premises above stated, and others which it is unnecessary to specify as they will suggest themselves; the nature of his past experiences, the remonstrances of his friends, and of his connections in business, compel your Petitioner to hesitate before incurring further outlay or responsibilities; that he is greatly hindered and prejudiced by having to delay opening up new ground and planting out on the land leased to him (which is admirably adapted to his purpose) large numbers of trees which he has ready on the spot. That he has been restrained for an unduly long time and is still held back from making further and more costly permanent improvements by reason of the vexations and general uncertainties of the position.

And your Petitioner prays that your Honorable House will take into consideration the representations hereinbefore set forth, and will adopt such measures in regard to the several matters as your Honorable House in its wisdom shall deem just and expedient and politic.

And your Petitioner will ever pray, &c.

CHARLES BRADY.

1875.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

WINES OF NEW SOUTH WALES.

(CORRESPONDENCE RESPECTING THE NATURAL STRENGTH OF.)

Ordered by the Legislative Assembly to be printed, 16 November, 1875.

No. 1.

G. DAY, Esq., M.P., TO THE COLONIAL TREASURER.

"Oxford Hotel,"

Sydney, 23 February, 1875.

SIR,

I have the honor to enclose herewith a letter from Jas. T. Fallon, Esq., together with some correspondence between him and the Victorian Government on the subject of testing the strength of our Australian wines, and I trust that you will take the matter into your serious consideration, and, if possible, grant Mr. Fallon's request.

I have, &c.,

GEORGE DAY.

Chief Inspector of Distilleries.—W.F., 3/3/75.

[Enclosures to No. 1.]

J. T. Fallon, Esq., to G. Day, Esq., M.P.

Melbourne, 16 February, 1875.

My dear Sir,

Your letter of the 11th instant duly to hand. I thank you for the active interest you take in forwarding my views, but the Government should view it as a great National question. It has been laid down by scientists that no natural wine produced from grapes can yield 26 p.c. of proof spirit. I maintained that our Australian wines, grown on the Murray and other favourable localities, would yield a higher per centage, and further promised to furnish through the Governments of the Colonies of New South Wales and Victoria certificates to prove that I was correct in what I then asserted—that natural wines produced from grapes grown on the Murray in favourable seasons gave a higher spirit strength than 26 of proof spirit. If it can be shown that I am correct the English Customs would alter the maximum to 28 to 30, thereby establishing the right to admit our Australian wines at 1s. instead of 2s. 6d. per gallon duty. So you see this is a very great and important Colonial question, and deserves the patronage of both Governments. The Victorian Government at once acceded to my request, and will send their officer up when you give them notice. I cannot see how our own Government can refuse to send their officer up also to meet the Victorian officer. They can make their tests either jointly or separately, as they think proper.

I am, &c.,

JAMES T. FALLON.

Melbourne, 24 November, 1874.

J. T. Fallon, Esq., to The Commissioner of Trade and Customs.

Sir,

While advocating Australian wines in London before a meeting of the Society of Arts, and in the Press, a question arose as to the alcoholic strength of natural pure wines. It was affirmed by Dr. Thudicum and others who agreed with him that no natural wine could be produced in any country giving a higher per centage of proof-spirit than 26; and that all wines possessing a higher amount of alcohol must be fortified by foreign spirit. I asserted that on the Murray, in oft recurring favourable seasons, wines produced there would give a higher per centage of proof-spirit than 26. I further stated that I would at the earliest opportunity furnish, through the Governments of Victoria and New South Wales, a clear proof of my assertion, and that, notwithstanding the doctrine laid down by theorists, I would prove I was right. In order to remove any possibility of a doubt, I propose to send a case of fruit to the Government at the next vintage, and request them to operate upon it entirely independent of me.

I do myself the honor to request that you will kindly give the necessary instructions to Mr. Moody, the Government Analyst, to receive the fruit from me at next vintage, to ferment and distil the same, and to furnish me with a return of the result as to spirit-strength and other particulars.

Trusting you will accede to my request

I have, &c.,

JAMES T. FALLON.

Department

Department of Trade and Customs,
Melbourne, 2 December, 1874.

Sir,

I am directed by the Honorable the Acting Commissioner of Trade and Customs to acknowledge the receipt of your letter of the 24th ultimo, requesting that the Chief Inspector of Distilleries might be authorized to ferment and distil grapes which you propose to send to him at the next vintage, for the purpose of ascertaining the alcoholic strength of natural pure wines.

In reply I am to acquaint you that the Chief Inspector proposes to visit your vineyard at the period of the vintage and have a sample fermented and distilled under his own inspection. This it is considered will be a more satisfactory mode of arriving at a correct result than the fermentation of a small quantity of grapes, which would not be correct test.

The Acting Commissioner has agreed to Mr. Moody's suggestion which he understands will be satisfactory to you.

I have, &c.,

J. CHATFIELD TYLER,
Acting Commissioner.

No. 2.

THE CHIEF INSPECTOR OF DISTILLERIES TO THE UNDER SECRETARY FOR FINANCE AND TRADE.

The Treasury, New South Wales,
Department of Distilleries and Refineries,
Sydney, 3 March, 1875.

MEMORANDUM on returning Mr. Day's letter and accompanying papers proposing experimental distillation of Mr. Fallon's wines.

The papers have been read and are now returned.

It was my intention to visit the Albury vineyards this year during the vintage, and I am prepared during my visit to conduct the distillation tests suggested in conjunction with the Chief Inspector of Distilleries of Victoria. The object proposed is one which very nearly concerns the interests of this Colony, the Albury vineyards being, I believe, chiefly on this side of the Border.

HENRY LUMSDAINE,
Chief Inspector of Distilleries.

As an arrangement appears to have been made or sanctioned by the Victorian Government, through Mr. Fallon, under which an officer is being sent to inspect and supervise certain processes of wine-making upon premises belonging to Mr. Fallon, and as the Chief Inspector of Distilleries had already in contemplation to visit Albury for official purposes, he may be authorized to undertake the duty as proposed, for the purposes in contemplation by Mr. Fallon. But this authority must not form a precedent in future cases of the same sort.—W.F., 3/3/75.

No. 3.

TELEGRAM from G. DAY, Esq., M.P., to THE COLONIAL TREASURER, SYDNEY.

Albury, 10 March, 1875.

VICTORIAN Inspector of Distilleries will be here to test must at Fallon's vineyard 16th instant; will it suit your inspector to meet him? Reply by telegraph.

No. 4.

THE CHIEF INSPECTOR OF DISTILLERIES AND REFINERIES TO THE UNDER SECRETARY FOR FINANCE AND TRADE.

Department of Distilleries and Refineries,
Chief Inspector's Office,
Sydney, 20 September, 1875.

SIR,

I do myself the honor to submit, for the information of the Honorable the Finance Minister, the result of experiments conducted by me on certain samples of Colonial wine made from grape must, personally collected by Mr. Moody and myself at vineyards in the Albury and adjacent districts.

My instructions being to act in concert with Mr. Moody, I visited, in company with that officer several principal vineyards in the immediate vicinity of Albury, and procured such samples as were obtainable at the time of our visit. At a later period of the vintage I collected additional samples of must at Albury and at vineyards in the neighbourhood of Howlong and Corowa, conveying the samples to Albury, and leaving them in charge of Superintendent Singleton, of the Police Force, who also holds an appointment as an Inspector of Distilleries in this Colony, for delivery to the Chief Inspector of Distilleries of Victoria.

The arrangement being that the samples should be taken to Melbourne and remain there till fermented and tested by Mr. Moody, that gentleman most obligingly and with much care forwarded to me in the latter part of June ten samples for analysis in Sydney.

Allowing a short interval after the arrival of the wine I proceeded, with the help of a gentleman who was then in my department and was well qualified by his antecedents to assist in the operation, to submit the samples to very careful analysis—repeating the distillation of each sample three or four times to ensure accuracy.

The experiments have been conducted according to recognized formula, and the results are shown in the accompanying statement. There is sufficient agreement between them and those obtained by Mr. Moodie to controvert the opinions which have been pronounced by high authorities as to the limit within which spirit is capable of being naturally developed in grape wines.

The

The hypothesis that 26 p.c., and in rare and very exceptional instances 28 p.c., is the highest percentage capable of development, is certainly not supported by the recent experiments made in this Colony and in Victoria.

The value of the experiments now reported is enhanced by the fact that they were carried out separately by Mr. Moody and myself, and without the interference of interested persons; and that the wines operated on were unquestionably pure and unadulterated.

The reasonable and sufficient agreement between the tests thus separately and independently made indicates the correctness of the instruments used, and of the procedure adopted. On this point I may observe that I was fortunate in procuring from the Branch Royal Mint in Sydney a newly imported chemical balance, by Oertling, by which I was enabled to obtain accurately to the tenth of a grain the specific gravity of the several distillates.

In concluding my observations I consider it not inconsistent with my duty to point out that the determination of a higher percentage than 26 and 28 p.c. of proof spirit in Australian wines having now been, as it appears to me, conclusively established, it will be alike unjust and discouraging to the wine makers of this and other wine producing Colonies of Australia if the present tariff be adhered to by the Imperial Government. Such an adherence is tantamount to a differential duty in favour of meagre Continental wines, and against many superior wines of New South Wales, Victoria, and South Australia, which, though containing more natural alcohol than wines of the Continent, are at the same time richer in other properties which give excellence to the quality of wines generally.

Having communicated with the proprietors of some celebrated vineyards in this Colony with the view of obtaining samples of pure and unfortified wine for the purpose of further investigation, I hope to be in a position to make another report on the subject which has called forth the present communication.

In conclusion, I desire to express my acknowledgments to Professor Liversidge, of the Sydney University, and Mr. C. Watt, Government Analyst, for assistance cheerfully accorded on more than one occasion of reference during the course of my investigation.

I have, &c.,

HENRY LUMSDAINE,

Chief Inspector of Distilleries, &c.

All papers connected with this question to be copied with a view to their being transmitted with me, or about the time of my projected voyage to England.—W.F., 23/9/75.

STATEMENT showing the Alcoholic strength of the undermentioned samples of Wine, made from Grape-must, collected at Albury, and other Murray River Vineyards, during the Vintage of 1875, by the Chief Inspector of Distilleries of Victoria and the Chief Inspector of Distilleries, New South Wales, as ascertained by distillation conducted by the latter Officer in Sydney.

Name and Mark of Wine.	Original gravity of Must.	Specific Gravity of Wine before distillation.	Per centage of Proof Spirit. - Standard 9196 @ 60° F.
Pineau F.....	1142.2	990.9	32.4
Muscat F.....	1132.5	989.0	31.6
Verdeilho F.....	1123.1	988.8	28.7
Ancarot S.....	1142.5	1008.9	29.3
Verdeilho S.....	1132.2	990.1	31.8
Verdeilho B., No. 7.....	1134.3	1000.1	29.2
Verdeilho R.....	1135.5	986.1	30.8
Pineau A.....	1120.0	989.0	28.4
Verdeilho B., No. 2.....	1120.0	988.5	30.0
Verdeilho C.....	1125.0	988.7	*28.0

* This distillate tried by hydrometer only.

HENRY LUMSDAINE,

Chief Inspector of Distilleries.

Chief Inspector of Distilleries' Office,
Sydney, 21st September, 1875.

No. 5.

THE CHIEF INSPECTOR OF DISTILLERIES AND REFINERIES TO THE UNDER SECRETARY FOR FINANCE AND TRADE.

Chief Inspector of Distilleries Office,
Sydney, 28 September, 1875.

SIR,

Referring to my letter, with enclosure, dated the 20th instant, communicating the result of experiments conducted by me on certain samples of Albury wines, for the purpose of ascertaining their natural alcoholic strength, and to my subsequent suggestion that the papers should be printed, I now do myself the honor to forward, as a necessary accompaniment to the publication, a letter from Mr. Moody, Chief Inspector of Distilleries, Victoria, which I recommend should be printed accordingly.

I have, &c.,

HENRY LUMSDAINE,

Chief Inspector of Distilleries, &c.

[Enclosure.]

[Enclosure.]

The Chief Inspector of Distilleries, Melbourne, to The Chief Inspector of Distilleries and Refineries, Sydney.

Office of Chief Inspector of Distilleries,
Custom House, Melbourne, 12 June, 1875.

Sir,

I have the honor to inform you, that I have forwarded to you, per "City of Adelaide," a box containing samples of wines, the produce of must collected by me, as well of those which were collected by yourself at Albury, and placed in charge of the Superintendent of Police, by whom they were delivered to me. They are the produce of the pure juice of the grapes, which were pressed out in our presence; the former have been in my personal charge since pressed, and the latter since they were delivered to me by Mr. Singleton, with certificate, copy of which is attached; and no addition of any matter or adventitious spirit has been made to them. I have carefully distilled similar samples of the wine, and annex for your information report of the result. In ascertaining the alcoholic contents I have, to ensure accuracy, taken the specific gravity by a chemical balance. I shall be glad if you will favor me, at your earliest convenience, with the result of your distillation.

I have, &c.,

LESLEY C. MOODY,
Chief Inspector of Distilleries,
Melbourne.

STATEMENT showing the alcoholic strength, &c., of the undermentioned samples of Must from Grapes collected at Albury during the Vintage of 1875, by the Chief Inspector of Distilleries, New South Wales, and the Chief Inspector of Distilleries of Victoria:—

WINE MUSTS.

Mark.	No.	Name of	Original gravity as furnished.	Gravity to which attenuated. Temp. 60° F.	Per centage of alcohol. British standard @ proof.
F	1	Pineau	1142.2	992.6	34.1
F	2	Musca	1132.5	990.2	33.1
F	3	Verdeilho	1123.1	989.0	29.7
S	4	Ancarot	1142.5	1009.2	29.2
S	5	Verdeilho	1132.2	990.6	32.6
B	7	Verdeilho	1134.3	1001.5	29.9
R	8	Verdeilho	1135.5	936.0	31.8
A	1	Pineau	1120.0	989.6	29.2
B	2	Verdeilho	1120.0	988.6	29.9
C	3	Verdeilho	1125.0	988.7	31.3
*D	4	Carbinet	1132.0	1002.2	29.6

* This sample did not arrive in Sydney.—H.L.

LESLEY C. MOODY.

1875.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

WINES OF SOUTH AUSTRALIA.
(CORRESPONDENCE AND PAPERS RELATIVE TO THE NATURAL STRENGTH OF.)

Ordered by the Legislative Assembly to be printed, 16 November, 1875.

THE AGENT GENERAL TO THE COLONIAL SECRETARY.

London, 3, Westminster Chambers,
Victoria-street, S.W.,
3 September, 1875.

SIR,

I have the honor to enclose herewith copy of a letter from the Colonial Office, dated 27th August, 1875, transmitting copy of a letter from the Treasury, dated 27th July, 1875, forwarding a communication (also enclosed) from the Commissioners of Customs, on the subject of a Report of a Commission appointed last year by the Government of South Australia to inquire into the alcoholic strength of South Australian Wines.

I have, &c.,
CHARLES COWPER.

[Enclosure.]

R. H. Meade, Esq., to The Agent General.

Downing-street,
27 August, 1875.

Sir,

With reference to the letter from this department of the 22nd of April, 1874, respecting the duty charged in England on Australian wines, I am directed by the Earl of Carnarvon to transmit to you, for your information, a copy of a letter from the Treasury, forwarding a communication from the Commissioners of Customs on the subject of a Report of a Commission appointed last year by the Government of South Australia to inquire into the alcoholic strength of South Australian Wines. Treasury, 27th July, 1875.

I am, &c.,
R. H. MEADE.

[Sub-enclosure.]

The Treasury to The Colonial Office.

Treasury Chambers,
27 July, 1875.

Sir,

With reference to Mr. Meade's letter and previous correspondence respecting the duty chargeable on Australian wines, I am commanded by the Lords Commissioners of Her Majesty's Treasury to transmit herewith copy of a Report from the Commissioners of Customs, dated the 6th January last, on the subject, and I am to request that, in laying the same before the Earl of Carnarvon, you will state to His Lordship that my Lords concur in conclusions at which the Board of Customs have arrived.

I am, &c.,
WILLIAM LAW.

TO THE LORDS COMMISSIONERS OF HER MAJESTY'S TREASURY.

YOUR Lordships having referred to us the annexed letter from the Colonial Office, dated the 10th October last, transmitting copy of a despatch from the Governor of South Australia, enclosing the Report of a Commission appointed to inquire into the alcoholic strength of Wines grown in the Colony, with a view to procuring from Her Majesty's Government such an extension in the limit of alcoholic strength at which wines may be admitted into Great Britain, at the duty of 1s. per gallon, as may be thought reasonable from the evidence adduced, we report—

That the question of the wine duties in relation of Australian wine has been already brought under the consideration of Her Majesty's Government by the Australian wine-growers, and was more particularly treated of in our Reports to your Lordships, dated the 30th January, 1871, No. 93, and 28th February following, No. 175.

The former Report was an answer to a memorial from certain vineyard proprietors and others interested in the growth of wine in South Australia, which had been forwarded to your Lordships through the Colonial Office, requesting that the duty of 1s. per gallon on importation into this country might be extended to 30 per cent. of proof spirit, with a view to the admission of wines the produce of South Australia at the duty of 1s. per gallon when not exceeding that limit of strength; and in this Report we recommend, for the reasons therein stated, that the request of the memorialists should not be entertained.

The latter Report was in reply to an Order from your Lordships, dated the 14th February, 1871, requesting to be furnished with an estimate of the effect which we considered an extension of the limit for the admission of wines at the 1s. duty from 26° to 30° would have upon the revenue derived from wine; and we therein stated that we were unable to form an exact estimate which the extension of the limit for the admission of wine at 1s. per gallon from 26° to 30° would have upon the revenue derived from wine, but we expressed our opinion that the loss in the revenue would be considerable, and that it would give a stimulus to the importation of spurious mixtures of spirit and water under the guise of wine, which would injuriously affect both the wine and spirit duties.

With reference to the present application, we have to state that relief can only be given to the memorialists by a revision of the existing rates of duty on wine generally, or by the creation of a differential duty in favour of wines the produce of Australia. Differential duties have however long been expunged from the British tariff, and it would be impossible to re-introduce any such principle by adopting a rate applicable to the wines of Australia alone. Those wines must be charged with the same rates as the wine of all other countries, and be treated upon the same principle. That principle is clear and simple, viz. — that wine produced by pressure and fermentation alone, in the usual way, from the grape in its natural state as it is gathered from the vine, should be made liable to a low rate of duty, but that as distilled spirit is in this country charged with a high rate of duty, which is invariably levied on such spirit in every condition and however united with other materials or used in various processes of manufacture, when wine is mixed or fortified with distilled spirit the duty on such spirit should be levied on the mixture in addition to that charged on the wine. The rate of 1s. per gallon was fixed for pure wine, and as it was found that certain wines were fortified with proportions of spirit ranging from 5 or 6 to 15 per cent. of proof spirit, and as the excise duty on 15 per cent. of British made spirit, would amount to 1s. 6d. per gallon (as shown in the marginal note), that sum in addition to the 1s. per gallon of duty on wine was made payable on all wine between the strength of 26 and 42 degrees, an additional duty of 3d. per degree being charged on all wine of 42 degrees and upwards.

As Australian wines cannot be treated exceptionally, relief can only be granted by alteration of the wine duties generally, and making such alteration applicable to the produce of all countries. The question therefore to be considered is whether the wines of Australia afford such numerous and important instances of peculiar strength as to justify a change of the existing system of duty by raising the present standard for pure wine, which after very careful inquiry was adopted, not as universally applicable to all possible varieties of wine, but as likely to include the great bulk of the natural wines of all countries, and excluding only comparatively very few and exceptional sorts.

The object of the present representation to your Lordships is to prove that the limit of 26° of proof spirit is insufficient for the bulk of the wines of Australia, and that looking to the importance of that trade the limit of all wine should be raised. After careful consideration of the statement in the enclosed Report of the Australian Commissioners, we do not consider that they have by any means satisfactorily proved their case.

In forwarding the Reports, the Governor of South Australia observes that some doubts have been expressed whether the strength of natural or unfortified Australian wines ever reached a higher degree than 26°, and to settle this doubt the inquiry was instituted. We beg to observe that the Governor appears to have somewhat misunderstood the reasons upon which the existing scale of wine duty was based. It has never been disputed that some natural or unfortified wines, owing to exceptional circumstances of climate, soil, or mode of manufacture, might be found to yield more than 26° of proof spirit, but the inquiries formerly instituted showed that the great bulk of wines produced throughout the world would not yield by simple fermentation that amount of spirit, and that the exceptions were comparatively so few that that limit would be the most convenient, especially as a higher standard would have covered many fortified wines, and afforded an inducement to add spirit to the lighter sorts.

The Governor also observes that, in appointing the Commissioners, care was taken to select men of the highest standing on whose statements complete reliance may be placed. The high official position of the Commissioners no doubt may be considered a sufficient guarantee for integrity and impartiality, but as the facts stated in their Report are the result of the labours of others who were employed by them, the accuracy and value of such results does not depend upon the character or position of the Commissioners.

The Commission in the first instance appears to have referred the question to certain chemists. With-out in the slightest degree questioning the skill, scientific knowledge, or integrity of the gentlemen whose services were called into requisition, it must be observed that, although chemistry has no doubt proved to be a most valuable guide in prosecuting invention in many branches of manufacturing industry, its results cannot always be relied upon as a satisfactory proof of what will be the exact results of any process of trade manufacture.

Every one who has had any experience in such work knows well that the results which a chemist with delicate and expensive apparatus and regardless of time or cost will obtain, can seldom or ever be reproduced upon a large scale, and with the rough appliances that are necessarily used in any process of commercial

The duty on British spirits being 10s. per proof gallon, the duty on each percentage or 100th part of such proof spirit is 1s. 4d. and 15s. 1d. is equal to 1s. 6d.

commercial manufacture. If therefore any precise results of actual analysis had been obtained by the chemists employed in this case, such results could have scarcely been looked upon as satisfactory evidence as to what should be the exact result of a process such as that usually adopted in the manufacture of wine. The exact strength of wine—that is, the quantity of spirit that may be extracted from it—is a fact that can be determined by a simple process; but as the chemists were supplied with grapes, and not with any wine, they were unable to prove that fact practically by such process, and could only report what should theoretically be deemed to be the strength, judging from the proportion of glucose contained in the juice of the grapes. The spirit which can be eliminated from the juice of the grapes by the processes of fermentation and distillation is generated by the decomposition and recombination of the elements of the glucose, but the determination of the proportion of glucose is not a very simple or easy process. It is not to be wondered at therefore that the results obtained by the different chemists should be various. As an example, No. 8, Frontignac grape, is returned by Mr. Thomas as containing 32.82 per cent. of glucose and 34.15 per cent. proof spirit. Mr. Cassins gives the percentages as 31.51 glucose and 32.86 proof spirit; while the third chemist (Mr. Francis) gives 39.682 per cent. of glucose, for which he gives the following equivalents of proof spirit by measure:—

By alcohol theory	...	...	...	43.519
„	pastern	...	...	41.621

The Commissioners very wisely observe, with regard to the diversity in the experiments, that they do not presume to decide wherein lies the greater accuracy. Although the discrepancies may not in all cases be so glaring, and although the first two chemists approach nearly to one another in most of their results, the results obtained by the third (Mr. Francis) differ so widely from both of them as to render it impossible to accept the experiments as satisfactory evidence upon which the question can be determined.

There is also one very strong objection to the assertion of the Commissioners, in regard to their referring the question to chemists, that the inquiry into the amount of sugar in the grape-juice is a proper basis on which to prove the alcoholic strength attainable in natural grape wine. Alcohol contains the same elements as grape-sugar, but in different proportions. During fermentation the combination of these elements is destroyed, and they again combine, but throwing off a quantity of one of the elements (carbonic acid). As both grape-sugar and alcohol are composed of known and definite quantities of their elements, given a known quantity of grape-sugar, the equivalent quantity of alcohol that should be produced is an easy calculation.

Sugar is sweet, alcohol tasteless, or nearly so; if therefore all the sugar in the must or juice of the grape is by fermentation converted into alcohol the resulting wine cannot be sweet, but will resemble the wines produced around Bordeaux or in Burgundy, where fermentation is carried to its utmost possible extent. But many of the Australian wines are very sweet and luscious, proving that much of the grape is still indecomposed, and consequently that the theoretical equivalent of alcohol cannot have been produced in such wine.

The second course adopted by the Commissioners was one of more practical value,—the actual testing of wine by distillation, and the subsequent use of Sykes' Hydrometer. As these operations were performed by parties who may be presumed to be well acquainted with the use of the apparatus employed, there is no reason to question the accuracy of the results so obtained. But the parties who performed those experiments had no hand in the selection of the wines tested, and the value of the results must depend entirely upon the fact of the wines subject to such test being or not being produced solely from the juice of the grape in its usual or natural condition, without the introduction or addition of any extraneous spirit. There are some wines that are produced from the grape juice which show an excess of alcohol beyond the usual proportion, arising from the way in which they are prepared. Such are the wines known in France as Vins de liqueur and Vins de paille. They are made from very rich grapes which are more or less dried in the sun, sometimes on straw (paille) by which the watery particles of the juice are evaporated through the skin of the grape but the sugar is retained, and consequently as the comparative proportion of sugar is so artificially augmented the proportion of spirit will also be comparatively increased. This process is not general but exceptional—the wine so made cannot be accepted as an example of what natural wine really is. Judging from the remarks of the chemists in regard to the condition of the grapes selected for analysis, it is not improbable that some such process of drying the grapes is adopted in the production of many of the wines of Australia, which may account for their unusual strength. The value of the results of the test of wine by distillation must depend upon the evidence as to the purity of the wine tested, and as to the possibility of spirit having been in any way added, either to the juice or to the wine after it has been made.

With regard to the Australian wines tested by direction of the Commission there are letters from the parties who supplied the wines. Those parties are no doubt men of high standing and character, who would not knowingly lend themselves to any misrepresentation, but there is no evidence to show that those gentlemen personally watched and superintended the process of making the wines, and, if they did not, their evidence can only be second-hand, and derived from parties who may have deceived them.

The results of some of the tests afford strong probability of such being the case. Of the twelve samples of wine tested, there were five of less strength than 26°, one of 27.4, one of 29.6, two of 30.3, 30.4; one of 33.9, and one of 38.7; all these are said to be natural wine without the addition of spirit.

The fact ascertained in 1861—that the bulk of all natural wines are of less strength than 26°—has since then constantly received confirmation from the examination of wines of different countries, but there have also been found, as then exceptions to that rule, but such exceptions have been rare among the wines of all parts of the world except Australia, and of strengths not generally exceeding 26°. It is also worthy of remark that the exceptions are becoming rarer every year. It was at first stated that the climate of Greece was such that the wines of that country could not generally be produced of less strength than 27° or 28°, and the same complaints were formerly made in regard to Greek wines that are now made with regard to Australian wines. Greek wines however are now generally imported of a strength less than 26°. In the International Exhibition of 1873 there were six samples of Greek wine, five of which were under 26° and one 26.6. In the Exhibition of 1874 there were thirteen samples of Greek wines, and the whole are under 26°, ranging from 17.2 to 25.2. Whether this change in the Greek wines is to be attributed to a change of climate or a change in the mode of making the wine may be doubtful.

In like manner it was some years ago constantly asserted that the natural wines of Portugal, owing to climate and soil, all contained over 26° of proof spirit. In the International Exhibition for 1874 an attempt was made to exhibit the natural wines of Portugal. Many but not all of those wines have been tested. Of forty-two samples said to be natural wines, twenty-eight show a less strength than 26°, and fourteen are of a strength of 26° and upwards, one being exactly 26°, nine ranging 26·9° to 27·5°, two 28·1 and 28·7, and the other two 30° and 30·5. It is quite possible that to some of these spirit may have been added in small quantities, which however cannot be detected by taste or smell. The climate and soil of Portugal like those of Greece will therefore certainly produce wines of a less strength than 26°, and many very little in excess of that strength.

Australia already produces many wines of light strength. In the International Exhibition of 1874 fifty-six sorts of wines were exhibited, of which fifteen show a strength ranging from 30° to 40°, but in which factitious spirit could be detected, and the thirty-six others varied from 22° to 30°, but in those the factitious spirit, if any, could not be detected by taste or smell.

In all the wine from all other parts of the world no wine of which there was any probability of its being natural has ever been found of a strength much exceeding 26°. The large majority of such as did exceed 26° have shown 27° or 28° only.

In the Australian Report two wines are stated to be natural wines, one of which having been tested showed a strength of 33·9 and the other 38·7. All experience of the strength of wines from every part of the world leads to the inference that it is impossible to produce any wine of those strengths simply by fermentation of the juice of the grapes.

We are therefore of opinion, adverting to the reasons above stated, that the Report forwarded by the Governor of South Australia cannot be accepted as satisfactory evidence in regard to the strength of the natural wines of Australia, but that the statements therein made do not afford sufficient grounds for altering the limit of strength for natural wine as at present fixed, and thereby endangering the revenue derived from both wines and spirits.

Custom House,
6th January, 1875.

F. GOULDBURN.
GRENVILLE C. L. BERKELEY.

1875.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

WINEGROWERS, PORT MACQUARIE.

(PETITION OF.)

Ordered by the Legislative Assembly to be printed, 3 December, 1875.

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

The respectful Petition of the Wine producers of the District of Port Macquarie, Hastings Electorate,—

RESPECTFULLY SHOWETH :—

That your Petitioners are employed in the culture of the vine and the manufacture of wine. Your Petitioners would respectfully bring under the notice of your Honorable House that the Pilot and certain of his boat's crew stationed at this Township, and being paid servants of the Crown, are in the habit of carrying on the same description of industry as your Petitioners, to their great loss and detriment, more particularly as to their local interests.

Your Petitioners would respectfully remark that as they are partially taxed to uphold the Pilot Service, the men being engaged for that particular duty and being amply remunerated, have no right to oppose your Petitioners in their legitimate industry.

Your Petitioners therefore respectfully pray that instructions be issued to the Marine Board for the discontinuance of the grievance complained of.

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

[Here follow 11 signatures.]

Port Macquarie,
26 November, 1875.

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

VINEYARDS AND STILLS.

(RETURN RESPECTING.)

Ordered by the Legislative Assembly to be printed, 1 August, 1876.

RETURN to an *Order* of the Honorable the Legislative Assembly of New South Wales, dated 26 May, 1876, That there be laid upon the Table of this House a Return showing—

- “ (1.) The number of Vineyards in the Colony on the 31st December, 1874.
- “ (2.) The number of Vineyards that have Licensed Stills; the quantity of Brandy on hand on the 1st of January, 1874; the strength; and the quantity made during the year, with strength.
- “ (3.) The quantity used, stating how much for home consumption and how much for fortifying the Wine.
- “ (4.) The quantity remaining on hand on the 31st December, 1874; the names of the owners of each Vineyard and where situated; the number of acres under cultivation; and the amount of license fee paid.
- “ (5.) The like Returns for 1875.”

(*Mr. Davies.*)

VINEYARDS AND STILLS.

VINEYARDS RETURN, 1874.

1. The number of Vineyards in the Colony on 31st December, 1874.
2. The number of Vineyards that have licensed Stills; the quantity of Brandy on hand on the 1st January, 1874; the strength; and the quantity made during the year, with strength.
3. The quantity used, stating how much for home consumption, and how much for fortifying the Wine.
4. The quantity remaining on hand on the 31st December, 1874; the names of the owners of each Vineyard, and where situated; the number of acres under cultivation; and the amount of license fee paid.

No. 1.	No. 2.				No. 3.	No. 4.								
	Number of Vineyards in the Colony.	Number of Vineyards having licensed stills.	Brandy on hand on 1st January, 1874.	Brandy made during the year 1874.		Quantity used for Home Consumption and Fortifying.	Brandy on hand on 31st December, 1874.	Names of Owners of each Vineyard.	Where situated.	Number of acres cultivated.	License Fee.			
		Gallons.	Strength.	Gallons.	Strength.	Gallons.	Gallons.	Strength.				£	s.	d.
873 Carried forward from 1873, in which year information was specially collected in this respect.	1	18	Proof	25	Proof	15	28	Proof	Anshaw F.	Penrith	3	1	0	0
	2	66	22 o.p.	60	22 o.p.	45	81	22 o.p.	Barclay T.	Kelso	6	1	0	0
	3	166	13'3 o.p.	164	13'3 o.p.	150	180	13'3 o.p.	Barker T.	Maryland	26½	1	0	0
	4	37	Not known	40	Not known	35	42	Not known	Brecht C.	Rosemount	13	1	0	0
	5	14	o.p.	10	o.p.	9	15	o.p.	Baxter W.	Mount Druitt	2½	1	0	0
	6	Nil	.....	50	Proof	Nil	50	Proof	Blatchford J. A.	Araluen	9	1	0	0
	7	102	5 o.p.	66	10 o.p.	15	153	5 o.p.	Carmichael G. T.	Porphyry	35	1	0	0
	8	Nil	.....	Nil	.....	Nil	Nil	.....	Carpenter H.	Fernside	6	1	0	0
	9	12	o.p.	25	o.p.	18	19	o.p.	Cox E. K.	Mulgoa	10	1	0	0
	10	12	20 o.p.	8	10 o.p.	15	5	10 o.p.	Cox Joseph	Ryde	5	1	0	0
	11	Nil	.....	Nil	.....	Nil	Nil	.....	Coombes E.	Bathurst	15	1	0	0
	12	Nil	.....	20	2 o.p.	20	Nil	.....	Downing T.	Tumut	5	1	0	0
	13	Nil	.....	Nil	.....	Nil	Nil	.....	Eisenhardt H.	Albury	4½	1	0	0
	14	Nil	.....	251	47 o.p.	251	Nil	.....	Fallon T. J.	Albury	140	1	0	0
	15	100	15 to 30 o.p.	106	25 to 30 o.p.	93	113	25 to 30 o.p.	Fowler W.	Campbelltown	20	1	0	0
	16	16	Not known	15	Not known	16	15	Not known	Fuchs P.	Camden	2½	1	0	0
	17	Nil	.....	Nil	.....	Nil	Nil	.....	Gray J. W.	Yass	3	1	0	0
	18	37	5 u.p.	56	5 u.p.	69	24	5 u.p.	Gehrig F.	Albury	2	1	0	0
	19	3	2 u.p.	Nil	.....	Nil	2	2 u.p.	Hamilton J.	Fairfield	7	1	0	0
	20	20	20 o.p.	30	20 o.p.	40	10	20 o.p.	Howard R.	Albury	6	1	0	0
	21	Nil	.....	40	4 o.p.	40	Nil	.....	Jenkins F.	Nepean Towers	4½	1	0	0
	22	12	Not known	35	Not known	11	36	Not known	Jenkins R. L.	Buckinbong	13	1	0	0
	23	80	"	30	"	60	50	"	Keys J. H.	Muswellbrook	4	1	0	0
	24	15	20 o.p.	Nil	.....	15	Nil	.....	Klaus V.	Grafton	2½	1	0	0
	25	5	Not known	15½	Not known	18½	2	Not known	Knauer	Macleay River	3	1	0	0
	26	Nil	.....	Nil	.....	Nil	Nil	.....	Lamrock J.	Kurragong	4	1	0	0
	27	64	30 o.p.	6	30 o.p.	24	46	30 o.p.	Metz R.	Berrima	2	1	0	0
	28	700	2 o.p.	Nil	.....	50	650	2 o.p.	M'Arthur Sir W.	Camden	49	1	0	0
	29	10	Proof	35	Proof	35	10	Proof	Martins J.	Adelong	3	1	0	0
	30	Nil	.....	56	4 o.p.	Nil	56	4 o.p.	M'Cleary W.	Wagga Wagga	4	1	0	0

No. 1.	No. 2.				No. 3.	No. 4.									
	Number of Vineyards in the Colony.	Number of Vineyards having licensed stills.	Brandy on hand on 1st January, 1874.	Brandy made during the year 1874.		Quantity used for Home Consumption and Fortifying.	Brandy on hand on 31st December, 1874.	Names of Owners of each Vineyard.	Where situated.	Number of acres cultivated.	License Fee.				
		Gallons.	Strength.	Gallons.	Strength.	Gallons.	Gallons.	Strength.				£	s.	d.	
Carried forward from 1873, in which year information was specially collected in this respect.	31	60	29° o.p.	146	19 o.p.	80	126	19 o.p.	Munro A.	Singleton	35	1	0	0	
	32	24	10 o.p.	71	10 o.p.	75	20	10 o.p.	Medway W.	Yass	5	1	0	0	
	33	Nil		Nil		Nil	Nil		M'Nevin J.	Molong	3	1	0	0	
	34	46	3 o.p.	50	3 o.p.	49	47	3 o.p.	M'Kay C.	Penrith	38	1	0	0	
	35	60	30 o.p.	25	30 o.p.	40	45	30 o.p.	Moore J.	Singleton	40	1	0	0	
	36	Nil		50	18 o.p.	50	Nil		Nicola J.	Young	17	1	0	0	
	37	Nil		Nil		Nil	Nil		Nixon J.	Wagga Wagga	3	1	0	0	
	38	44	Proof	8	Proof	51	1	Proof	Powel E.	Richmond	4	1	0	0	
	39	Nil		25	1 o.p.	20	5	1 o.p.	Pearce E. H.	Seven Hills	2	1	0	0	
	40	18	o.p.	18	o.p.	21	15	o.p.	Petith F.	Penrith	2½	1	0	0	
	41	8	10 o.p.	14	o.p.	22	Nil		Power R.	Seven Hills	2	1	0	0	
	42	12	Not known	Nil		Nil	12	Not known	Robison H.	Camden	10	1	0	0	
	43	65	12 u.p.	73	12 u.p.	95	43	12 u.p.	Reis G.	Albury	2½	1	0	0	
	44	Nil		10	10 o.p.	10	Nil		Stein A.	Narellan	2	1	0	0	
	45	12	Not known	20	Not known	22	10	Not known	Stein Jacob.	Parramatta	5	1	0	0	
	46	26	3 o.p.	15	Proof	20	21	Proof	Stumpf J.	Parramatta	2	1	0	0	
	47	Nil		25	"	25	Nil		Schofield J., senr.	Windsor	4	1	0	0	
	48	Nil		25	"	25	Nil		Schuback S.	Albury	7	1	0	0	
	49	Nil		Nil		Nil	Nil		Salvia F.	Araluen	9	1	0	0	
	50	Nil		Nil		Nil	Nil		Smith W. K.	Campbelltown	8	1	0	0	
	51	80	12 o.p.	52	12 o.p.	20	112	12 o.p.	Sanger E.	Corowa	27	1	0	0	
	52	Nil		Nil		Nil	Nil		Schons W.	Wellington	4	1	0	0	
	53	56	1 o.p.	Nil		16	40	1 o.p.	Smith J.	Wagga Wagga	26	1	0	0	
	54	12	Not known	20	Not known	Nil	32	Not known	Stein John	Narellan	6	1	0	0	
	55	4	"	15	"	17	2	"	Spencer W. L.	Tamworth	2	1	0	0	
	56	Nil		6	5 o.p.	Nil	6	5 o.p.	Thorn J.	Raymond Terrace	3	1	0	0	
	57	Nil		78	23 o.p.	63	15	23 o.p.	Teer P.	Adelong	6	1	0	0	
	58	Nil		Nil		Nil	Nil		Vincent Elizabeth	Wagga Wagga	7½	1	0	0	
	59	193	3 o.p.	116	3 o.p.	88	221	3 o.p.	Wilshire A. F.	Mulgoa	17	1	0	0	
	60	Nil		Nil		Nil	Nil		Wollard M.	Wollongong	5	1	0	0	
	61	26	o.p.	10	o.p.	29	7	o.p.	Weston Blanch	Parramatta	10	1	0	0	
	62	20	Not known	24	Not known	37	7	Not known	Wyse J.	Albury	3	1	0	0	
	63	6	2 o.p.	10	12 o.p.	6	10	12 o.p.	Whittaker H.	Parramatta	10	1	0	0	
	64	12	10 o.p.	21½	u.p.	33½	Nil		Wisemantel R.	Stroud	4	1	0	0	
	65	8	Not known	10	Not known	6	12	Not known	Wonson W.	Bargo	3	1	0	0	
	66	40	20 o.p.	60	20 o.p.	5	95	20 o.p.	Weick C.	Warialda	2	1	0	0	
	67	165	10 o.p.	Nil		30	135	10 o.p.	Windeyer J.	Raymond Terrace	32	1	0	0	
										Total	778½				

HENRY LUMSDAINE,
Chief Inspector of Distilleries.

VINEYARDS RETURN, 1875.

1. The number of Vineyards in the Colony on 31st December, 1875.
2. The number of Vineyards that have licensed Stills; the quantity of Brandy on hand on the 1st January, 1875; the strength; and the quantity made during the year, with strength.
3. The quantity used, stating how much for home consumption and how much for fortifying the Wine.
4. The quantity remaining on hand on 31st December, 1875; the names of the owners of each Vineyard, and where situated; the number of acres under cultivation; and the amount of license fee paid.

No. 1.	No. 2.				No. 3.	No. 4.							
	Number of Vineyards in the Colony.	Number of Vineyards having licensed stills.	Brandy on hand on 1st January, 1875.			Quantity used for Home Consumption and Fortifying.	Brandy on hand on 31st December, 1875.		Names of Owners of each Vineyard.	Where situated.	Number of acres cultivated.	License Fee.	
		Gallons.	Strength.	Gallons.	Strength.	Gallons.	Gallons.	Strength.				£ s. d.	
873 Carried forward from 1873, in which year information was specially collected in this respect.	1	28	Proof	40	Proof	32	36	Proof	Anshaw F.	Penrith	3	1 0 0	
	2	Nil	.....	Nil	.....	Nil	Nil	.....	Annison J.	Wagga Wagga.....	5	1 0 0
	3	180	13 3 o.p.	60	13 3 o.p.	24	216	13 3 o.p.	Barker T.	Bringelly	26½	1 0 0	
	4	81	22 o.p.	Nil	.....	Nil	81	22 o.p.	Barclay Thos.	Singleton	6	1 0 0
	5	15	o.p.	12½	28 o.p.	11	16½	28 o.p.	Baxter W.	Penrith	2½	1 0 0	
	6	50	Proof	90	Proof	30	110	Proof	Blatchford J.	Araluen	9	1 0 0	
	7	42	Not known	38	Not known	40	40	Not known	Brecht C.	Denman	13	1 0 0	
	8	15	25 o.p.	45	25 o.p.	40	20	25 o.p.	Buckholtz F.	Mudgee	10	1 0 0	
	9	Nil	.....	60	Not known	45	15	Not known	Carpenter H.	Camden	6	1 0 0
	10	153	5 o.p.	73	15 o.p.	30	196	5 o.p.	Carmichael G. T.	Raymond Terrace.....	35	1 0 0	
	11	Nil	.....	120	Not known	60	60	Not known	Christian M.	Lochinvar	18	1 0 0
	12	5	10 u.p.	8	20 o.p.	11	2	20 o.p.	Cox J.	Ryde	5	1 0 0	
	13	19	o.p.	30	Proof	35	14	Proof	Cox E. K.	Mulgoa	10	1 0 0	
	14	Nil	.....	18	3 u.p.	11	7	3 u.p.	Davis A.	Tumut	5	1 0 0
	15	Nil	.....	Nil	.....	Nil	Nil	.....	Doust J.	Camden	2	1 0 0
	16	Nil	.....	55	12 u.p.	15	40	12 u.p.	Eisenhardt H.	Albury	4½	1 0 0
	17	Nil	.....	646	15 o.p.	378	268	15 o.p.	Fallon J. T.	Albury	140	1 0 0
	18	113	25 to 30 o.p.	53	38 o.p.	41	125	25 to 30 o.p.	Fowler W.	Campbelltown	20	1 0 0	
	19	15	Not known	18	Not known	33	Nil	.....	Fuchs P.	Camden	2½	1 0 0
	20	Nil	.....	12	20 u.p.	Nil	12	20 u.p.	Franson J. B.	Hunter's Hill	8	1 0 0
	21	Nil	.....	Nil	.....	Nil	Nil	.....	Gray J. W.	Gunning	3	1 0 0
	22	Nil	.....	200	16 o.p.	200	Nil	.....	Jaspriza N.	Young	17	1 0 0
	23	Nil	.....	Nil	.....	Nil	Nil	.....	Jenkins F.	Buckenbong	4½	1 0 0
	24	36	Not known	56	Proof	2	90	Proof	Jenkins R. L.	Nepean Towers.....	13	1 0 0	
	25	2	2 u.p.	25	7 u.p.	28	Nil	.....	Hamilton J.	Liverpool	7	1 0 0
	26	10	20 o.p.	26	25 o.p.	21	15	25 o.p.	Howard R.	Albury	6	1 0 0	
	27	50	Not known	Nil	.....	Nil	50	Not known	Keys J. H.	Muswellbrook	4	1 0 0
	28	Nil	.....	30	20 o.p.	15	15	20 o.p.	Klaus B.	Grafton	4	1 0 0
	29	15	25 o.p.	114	24 u.p.	127	2	24 u.p.	Luff R.	Adelong	6	1 0 0	
	30	56	4 u.p.	70	Proof	31	95	Proof	M'Leay W.	Wagga Wagga.....	4	1 0 0	
	31	650	2 o.p.	100	"	75	675	2 o.p.	M'Arthur Sir W.	Camden	49	1 0 0	
	32
	33	10	Proof	50	5 o.p.	60	Nil	.....	Martins J.	Adelong	3	1 0 0
	34	20	10 o.p.	57	10 o.p.	57	20	10 o.p.	Medway W.	Yass	5	1 0 0	
	35	Nil	.....	10	Proof	8	2	Proof	Meacher T.	Penrith	9	1 0 0

No. 1.	No. 2.				No. 3.		No. 4.						
	Number of Vineyards in the Colony.	Number of Vineyards having licensed stills.	Brandy on hand on 1st January, 1875.	Brandy made during the year 1875.	Quantity used for Home Consumption and Fortifying.		Brandy on hand on 31st December, 1875.		Names of Owners of each Vineyard.		Where situated.	Number of acres cultivated.	License Fee.
		Gallons.	Strength.	Gallons.	Strength.	Gallons.	Gallons.	Strength.					£ s. d.
	36	Nil	.....	150	4 o.p.	138	12	4 o.p.	M'Kay C.	Penrith	38	1	0 0
	37	Nil	.....	Nil	.....	Nil	Nil	.....	Marsh F.	Wellington	3	1	0 0
	38	Nil	.....	15	Proof	Nil	15	Proof	M'Carthy J.	Penrith	2½	1	0 0
	39	Nil	.....	Nil	.....	Nil	Nil	.....	M'Nevin J.	Molong	3	1	0 0
	40	45	30 o.p.	Nil	.....	20	25	30 o.p.	Moore J.	Singleton	40	1	0 0
	41	126	19 o.p.	40	10 u.p.	126	40	10 u.p.	Munro A.	Singleton	35	1	0 0
	42	Nil	.....	Nil	.....	Nil	Nil	.....	Nixon J.	Wagga Wagga	3	1	0 0
	43	5	1 o.p.	17	Proof	22	Nil	.....	Pearce B. H.	Seven Hills	2	1	0 0
	44	1	Proof	25	"	26	Nil	.....	Powell E.	Richmond	4	1	0 0
	45	Nil	.....	17	"	17	Nil	.....	Power R.	Parramatta	2	1	0 0
	46	100	40 o.p.	220	25 o.p.	75	245	25 o.p.	Phelps R. L.	Albury	30	1	0 0
	47	15	o.p.	18	Proof	28	5	Proof	Petith F.	Penrith	2½	1	0 0
	48	Nil	.....	10	25 o.p.	7	3.	25 o.p.	Reith A.	Mudgee	5	1	0 0
	49	43	12 u.p.	99	12 o.p.	60	82	12 o.p.	Reis G.	Albury	2½	1	0 0
	50	Nil	.....	Nil	.....	Nil	Nil	.....	Sands J.	Gunning	4	1	0 0
	51	Nil	.....	17½	Not known	17½	Nil	.....	Stein A.	Narellan	2	1	0 0
	52	21	Proof	15	7 u.p.	21	15	7 u.p.	Stumpf T.	Parramatta	2	1	0 0
	53	10	Not known	Nil	.....	10	Nil	.....	Stein J.	Parramatta	5	1	0 0
	54	40	1 o.p.	Nil	.....	40	Nil	.....	Smith J.	Wagga Wagga	26	1	0 0
	55	32	Not known	Nil	.....	32	Nil	.....	Stein J.	Narellan	6	1	0 0
	56	Nil	.....	Nil	.....	Nil	Nil	.....	Selvia F.	Araluen	9	1	0 0
	57	Nil	.....	Nil	.....	Nil	Nil	.....	Schubachs G.	Albury	7	1	0 0
	58	Nil	.....	32	Proof	6	26	Proof	Schofield J.	Windsor	4	1	0 0
	59	112	12 o.p.	Nil	.....	Nil	112	12 o.p.	Sanger E.	Corowa	27	1	0 0
	60	Nil	.....	Nil	.....	Nil	Nil	.....	Schons W.	Burrandong	4	1	0 0
	61	2	Not known	15	Not known	11	6	Not known	Spencer W.	Tamworth	2	1	0 0
	62	Nil	.....	20	"	20	Nil	.....	Schmitzer J.	Manning River	4	1	0 0
	63	28	Proof	15	Proof	Nil	43	Proof	Teer P.	Tumut	6	1	0 0
	64	Nil	.....	Nil	.....	Nil	Nil	.....	Vincent Elizabeth	Wagga Wagga	7½	1	0 0
	65	Nil	.....	16	Proof	13	3	Proof	Woollard M.	Wollongong	5	1	0 0
	66	11	Proof	10	"	12	9	"	Whittaker H.	Parramatta	10	1	0 0
	67	Nil	.....	52	u.p.	47	5	u.p.	Weismantel R.	Stroud	4	1	0 0
	68	95	20 o.p.	Nil	.....	17	78	20 o.p.	Weick C.	Warialda	2	1	0 0
	69	7	Not known	17	Not known	24	Nil	.....	Wyse J.	Albury	3	1	0 0
	70	221	3 o.p.	35	Proof	106	150	3 o.p.	Wilshire A. T.	Mulgoa	17	1	0 0
	71	7	o.p.	42	u.p.	20	29	u.p.	Weston Blanch	Liverpool	10	1	0 0
	72	12	3 o.p.	10	3 o.p.	Nil	22	3 o.p.	Wonson W.	Camden	3	1	0 0
	73	135	10 o.p.	Nil	.....	82	53	10 o.p.	Windeyer J. F.	Raymond Terrace	32	1	0 0
									Total		828		

873 Carried forward from 1873, in which year information was specially collected in this respect.

HENRY LUMSDAINE,
 Chief Inspector of Distilleries.

1875.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

COLONIAL DISTILLED SPIRITS.

(FINES LEVIED AND NUMBER OF CONVICTIONS FOR SELLING.)

Ordered by the Legislative Assembly to be printed, 24 November, 1875.

RETURN to an Order made by the Honorable the Legislative Assembly of New South Wales, dated 7 May, 1875, That there be laid upon the Table of this House, a Return showing,—

“The number of Convictions and Fines levied, with names of parties so
“fined for selling *Colonial Distilled Spirits at Wine-shops, or by Vineyard
“Proprietors, within the last ten years.”

(Mr. Dangar.)

* There are no means of ascertaining whether the Spirits sold were Colonial or Foreign.

Name of Defendant.	Fine levied.	Name of Defendant.	Fine levied.
	£ s. d.		£ s. d.
1. Edward Culnane	30 0 0	34. John Scott	50 0 0
2. William Halbert	30 0 0	35. Thomas Cook	30 0 0
3. Charles Hassen	30 0 0	36. J. M'Hugh	30 0 0
4. Sebastian Schuback	30 0 0	37. Dan. King	30 0 0
5. Valentine Kolb	30 0 0	38. Mrs. Ryan	30 0 0
6. Charles Frauenfelder	30 0 0	39. Mrs. Spicer	30 0 0
7. Frederick Frauenfelder	30 0 0	40. Mrs. Nugent	50 0 0
8. James Clarke	30 0 0	41. Mrs. Hackett	50 0 0
†9. Joseph Brissett	30 0 0	42. Mrs. Cook	30 0 0
†10. Mrs. Joseph Brissett	30 0 0	43. William Alfred Taylor	3 0 0
11. William Haydon	30 0 0	44. Augustus Cohen	30 0 0
12. Thomas Dwyer	30 0 0	45. Jane Alshin	30 0 0
13. Mary Anne Gill	30 0 0	46. George Wilmott	21 1 6
14. — Gilchrist	5 0 0	47. John Clark	30 0 0
15. Mary Underwood	2 10 0	48. George Whittan	30 0 0
16. — Nixon	30 0 0	49. Bridget Smith	30 0 0
17. Mary Underwood	5 0 0	50. David Grayson	30 0 0
18. — Bowe	2 0 0	51. Edwin Maguire	30 0 0
19. Cornelius New	30 0 0	52. Emma Holt	2 0 0
20. James M'Cubbin	30 0 0	53. George Newson	30 0 0
21. Ann Wilson	30 0 0	54. Thomas Ingham	30 0 0
22. Clara E. Cook	30 0 0	55. Edward Culnane	30 0 0
23. Maria Dewson	30 0 0	56. John C. Smith	30 0 0
24. F. John Kelly	30 0 0	57. Edward Dunne	30 0 0
25. John Scott	30 0 0	58. Clara E. Cook	30 0 0
26. James Neal	30 0 0	59. Henry Hartog	30 0 0
27. John Chisholm	30 0 0	60. John Elvers	30 0 0
28. John Marsden	30 0 0	61. Jane Hullam	30 0 0
29. Mrs. Hackett	30 0 0	62. John Fox	30 0 0
30. Mrs. Nugent	50 0 0	†63. John Davis Green	30 0 0
31. Richard White	30 0 0	64. Alexander Morrison	30 0 0
32. F. Short	30 0 0		
33. Mrs. Nugent	30 0 0		
		Amounting to	£ 1,830 11 6

† Convictions in these cases were quashed on appeal to full Court.
‡ Fine not being paid, defendant was imprisoned for three months.

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

COLONIAL DISTILLATION ACT.

(REPORT FROM CHIEF INSPECTOR.)

Ordered by the Legislative Assembly to be printed, 2 March, 1876.

RETURN to an *Order* of the Honorable the Legislative Assembly of New South Wales, dated 16 December, 1875, That there be laid upon the Table of this House,—

“ A Report from the Chief Inspector of Distilleries, embodying the opinions
“ and experiences of the Sub-Inspectors of Distilleries as to the working
“ of the 19th section of the Colonial Distillation Act, 13 Vic. No. 27,
“ which allows of the keeping and using of a Still by makers of Wine
“ from grapes the produce of their own Vineyards.”

(*Mr. Jacob.*)

COLONIAL DISTILLATION ACT (13 VIC., No. 27).

(REPORT UPON THE WORKING OF THE 19TH SECTION.)

THE CHIEF-INSPECTOR OF DISTILLERIES TO THE UNDER SECRETARY FOR FINANCE AND TRADE.

Chief Inspector of Distilleries' Office,

Sydney, 7 February, 1876.

SIR,

In compliance with the request conveyed by your B.C. communication of the 22nd December last, forwarding a copy of an Order of the Legislative Assembly, on the motion of Mr. Jacob, for a "Report embodying the opinions and experiences of the Sub-Inspectors of Distilleries as to the working of the 19th section of the Colonial Distillation Act, 13th Victoria No. 27," I do myself the honor to report as follows:—

The opinions of the Country Inspectors of Distilleries as to the abuse or otherwise of the Act in question are very evenly divided. Out of twenty-three Inspectors of Wine-growing Districts whose reports have been asked for, twenty-one have replied to date. Of these, nine are of opinion that the Act is abused, and an equal number are of the contrary opinion; while three state they are not in a position to determine, there being no makers of wine in their districts using stills.

From the large wine-producing districts of Albury the Inspector reports that "he believes in many instances the brandy made by the wine-growers finds its way to the public-houses, and that none is ever put into bond." In 1871 this officer reported that several persons had been fined for selling colonial brandy, but upon inquiry it was ascertained they were not wine-growers licensed to have stills.

The Inspector at Camden, another large wine-growing district, states his belief "that inferior wine is fortified to a much greater extent than that authorized by the Act, and that such mixture finds its way to a great extent to the wine shops."

The Inspector at Penrith and adjoining district reports, "Privilege not abused."

The Inspector of Distilleries at Goulburn remarks—"I am aware that makers of wine licensed under the Act 13th Victoria No. 27 do not confine themselves to distil from such wine for their own consumption, but on the contrary use fruit, sugar, and probably grain, and dispose of the spirit to publicans and others." Upon inquiry I have ascertained that the foregoing conclusion relates chiefly to cases which occurred in 1869 and 1873, in each of which the offending party was dealt with by fine and imprisonment.

The Inspector for Yass District considers "the privilege much abused, and greater restriction desirable."

From the Maitland District the Inspector reports that he does not think "there is any abuse," and that "the practice of making brandy for fortifying wine has become obsolete, all the principal wine-growers having left their stills in charge of the police."

The Inspector of Distilleries in the Wagga Wagga District states that he has "found no ill effects from the privilege in his district." The Inspectors at Mudgee and at Port Macquarie make similar reports.

There is little doubt, from the tenor of the reports generally, that the abuses which are suspected may exist a long time without detection, and that increased supervision is necessary in the present state of the law. The difficulty, however, in any effort in that direction would be to obtain honorary officers skilled in the use of the proper instruments for instituting checks upon the quantity and strength of brandy made by the wine-growers.

The words "home consumption," in the clause under which wine-growers are allowed to have a still on their vineyards lead to advantage being taken of the privilege, which probably was never intended, and afford a ready means for accounting for all spirits used in excess of the quantity legally allowed for fortifying:

The means at present employed for ascertaining the quantity and strength of brandy made, used, and in stock, is as follows:—By the 4th section of the Act 13th Victoria, No. 15, each wine-grower is required to keep a record-book showing his operations, both as to the manufacture and the consumption of brandy made during each year. At the termination of the year, returns are filled in from these records by the police, and forwarded to this office. By the returns thus furnished, and from personal observations during my periodical visits to the wine-growing districts, I have found that the information sought for is not always fully recorded; but there being no penalty imposed by the Act for non-compliance with the requirement, I have been unable to do more than direct the attention of persons thus offending to their neglect.

In various reports from myself the attention of the Government has been drawn to the fact that the provisions of the existing Distillation Act, which relate to wine-growers licensed to have stills, are insufficient for the due supervision of their operations.

In July, 1871, I wrote as follows:—"In devising a measure to enable sugar-growers and others to distil, it will certainly be well to take advantage of the opportunity which will be afforded to modify and restrict, if not to withdraw, the privilege at present enjoyed by the wine-growers." In pursuance of this opinion a clause was inserted in the Distillation Bill laid before Parliament last year, largely increasing the required extent of vineyards allowed to have stills.

A sum of money has also been placed on the Estimates, for the purpose of meeting the expenses that will be incurred by increased future supervision of distilling operations at vineyards. By this means, by limiting the privilege to persons having not less than (say) eight acres of vines in bearing, and by enforcing certain special conditions which have been inserted in the new Bill, I conceive all valid objections to the possession of stills by wine-growers may be removed, without resorting to the alternative of withdrawing from them altogether the present means of utilizing the refuse and lees of each vintage.

I am glad to have been afforded this opportunity of inviting the attention of the Government to the Bill referred to, which deals with various other matters requiring amendment in the present Distillation Laws.

I have, &c.,

HENRY LUMSDAINE,

Chief Inspector of Distilleries.

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

COLONIAL WINE.

(IMPORTED FROM, AND EXPORTED TO SOUTH AUSTRALIA.)

Ordered by the Legislative Assembly to be printed; 8 August, 1876.

RETURN showing the quantity of Colonial Wine imported from South Australia, by way of the river Murray, into New South Wales, during the year 1875; and the quantity of Colonial Wine exported, by the same route, into South Australia during the same period.

Imported from South Australia:—

Colonial Wine	4,383 gallons.
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Exported to South Australia:—

Colonial Wine	Nil.
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The Treasury, New South Wales,
8th August, 1876.

F. KIRKPATRICK,
Accountant.

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION AGAINST—CONGREGATIONAL UNION.)

Ordered by the Legislative Assembly to be printed, 11 January, 1876.

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

The Petition of the undersigned,—

HUMBLY SHOWETH :—

That your Petitioners being fully convinced that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of the Police Courts, whose Monday business chiefly consists of cases arising from this cause, believe that it is necessary to the welfare of the community that Publicans should be compelled to close their houses to the public on that day; also, that the Police should be authorized by law to enter any house licensed as a public-house in order to see that the above regulation is properly carried out.

They therefore pray that your Honorable House will take such measures as shall secure the accomplishment of these results.

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

Signed by order and on behalf of the Congregational Union of New South Wales,

MORGAN WILLIAMS,

Chairman.

Sydney, 21st December, 1875.

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.
(PETITION OF INHABITANTS OF NEWTOWN AND CAMPERDOWN, AGAINST.)

Ordered by the Legislative Assembly to be printed, 22 March, 1876.

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

The Petition of the undersigned Inhabitants of Newtown and Camperdown,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is, therefore, necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on Sundays.

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

[*Here follow 275 signatures.*]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MINISTER, MEMBERS, &C., OF PRESBYTERIAN CHURCH, ST. GEORGE'S, CASTLREAGH-ST., SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 22 March, 1876.

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

The Petition of the undersigned Minister, Members, &c., of Presbyterian Church, St. George's, Castlereagh-st., Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is, therefore, necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray your Honorable House to pass a Bill to close all public-houses on Sundays.

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

[Here follow 18 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF No. 1 DIVISION OF SONS OF TEMPERANCE, AGAINST.)

Ordered by the Legislative Assembly to be printed, 22 March, 1876.

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

The Petition of the undersigned, No. 1 Division of Sons of Temperance in Sydney, New South Wales,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is, therefore, necessary to the welfare of the community that publicans should be compelled to close their houses on Sundays as other tradesmen are.

And your Petitioners pray that the House will pass a Bill to close all such houses on Sundays.

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

[Here follow 27 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MINISTER, MEMBERS AND OTHERS, OF THE CHRISTIAN CHURCH, ELIZABETH-STREET SOUTH, SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 22 March, 1876.

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

The Petition of the undersigned Minister, Members and others, of the Christian Church,
Elizabeth-street South, Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is, therefore, necessary to the welfare of the community that publicans should be compelled to close their houses on Sundays as well as other tradesmen are.

And your Petitioners pray the House will pass a Bill to close all such houses on Sundays.

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

[Here follow 60 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MINISTER, MEMBERS AND OTHERS, OF THE WESLEYAN CHURCH, PRINCES-STREET, SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 22 March, 1876.

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

The Petition of the undersigned Minister, Members and others, of the Wesleyan Church,
Princes-street, Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that, therefore, it is necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all public-houses on Sundays.

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

[Here follow 50 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MINISTER, MEMBERS AND OTHERS, AT THE WESLEYAN CHURCH, YORK-STREET, SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 22 March, 1876.

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

The Petition of the undersigned Minister, Members and others, at the Wesleyan Church, York-street, Sydney,—

HUMBLY SHOWETH :—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is, therefore, necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill for the closing all public-houses on Sundays.

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

[Here follow 24 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MINISTER, MEMBERS AND OTHERS, OF ST. BARNABAS' CHURCH OF ENGLAND,
PARRAMATTA-STREET, SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 22 March, 1876.

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

The Petition of the undersigned Minister, Members and others, of St. Barnabas' Church of
England, Parramatta-street, Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is, therefore, necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all public-houses on Sundays.
And your Petitioners will, as in duty bound, ever pray.

[Here follow 58 signatures.]

Y. A. 1119
1119

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MEMBERS OF THE CRYSTAL SPRING LODGE OF GOOD TEMPLARS AND OTHERS, SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 22 March, 1876.

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

The Petition of the undersigned Members of the Crystal Spring Lodge of Good Templars and others, Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is, therefore, necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on that day.

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

[Here follow 18 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MINISTER, MEMBERS, AND OTHERS OF HARRIS-STREET BAPTIST CHURCH,
SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 22 March, 1876.

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

The Petition of the undersigned Minister, Members, and others, of Harris-street Baptist Church, Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is, therefore, necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on Sundays.

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

[Here follow 70 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MINISTER AND MEMBERS OF SCOTS' CHURCH, CHURCH HILL, SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 22 March, 1876.

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

The Petition of the undersigned Minister and Members of Scots' Church, Church Hill, Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is, therefore, necessary to the welfare of the community that publicans should close their houses on that day.

And your Petitioners pray that the House will pass a Bill for the closing of all public-houses on Sundays.

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

[Here follow 26 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MEMBERS AND OTHERS OF LIVERPOOL AND SUSSEX-ST. CONGREGATIONAL CHURCH, SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 22 March, 1876.

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

The Petition of the undersigned Members and others, of Liverpool and Sussex-st. Congregational Church, Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is, therefore, necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on that day.

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

[Here follow 16 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF FLORENCE NIGHTINGALE DIVISION OF TEMPERANCE, AGAINST.)

Ordered by the Legislative Assembly to be printed, 22 March, 1876.

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

The Petition of the undersigned Florence Nightingale, Division of Temperance,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is, therefore, necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on Sundays.

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

[Here follow 16 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MINISTERS, MEMBERS AND OTHERS, OF ST. PAUL'S CHURCH OF ENGLAND, SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 27 March, 1876.

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

The Petition of the undersigned Ministers, Members and others, of St. Paul's Church of England, Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is, therefore, necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill for the closing all public-houses on Sundays.

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

[Here follow 5 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MINISTER AND OTHERS OF THE MARINERS' CHURCH, GEORGE-STREET NORTH, SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 22 March, 1876.

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

The Petition of the undersigned Minister and others of the Mariners' Church, George-street North, Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is, therefore, necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all public-houses on Sundays.

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

[Here follow 8 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.
(PETITION OF NATIONAL DIVISION OF SONS OF TEMPERANCE, AGAINST.)

Ordered by the Legislative Assembly to be printed, 22 March, 1876.

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

The Petition of the undersigned Officers, &c., of the National Division of Australia, of the Sons of Temperance, in Session assembled,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is, therefore, necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all public-houses on Sundays.

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

[Here follow 18 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF CITIZENS OF SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 22 March, 1876.

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

The Petition of the undersigned 365 Citizens of Sydney, New South Wales,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is, therefore, necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on that day.

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

[Here follow 365 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF UNDERSIGNED MINISTER, MEMBERS, AND OTHERS, OF THE WESLEYAN CHURCH, BOURKE-ST., SURRY HILLS, SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 22 March, 1876.

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

The Petition of the undersigned Minister, Members, and others, at the Wesleyan Church, Bourke-st., Surry Hills, Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that therefore it is necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill for the closing all such houses on Sundays.

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

[Here follow 69 signatures.]



1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MINISTER, MEMBERS, AND OTHERS, OF PRIMITIVE METHODIST CHURCH, CROWN-ST., SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 22nd March, 1876.

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

The Petition of the undersigned Minister, Members, and others, of Primitive Methodist Church,
Crown-street, Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that therefore it is necessary to the welfare of the community that publicans should be compelled to close their houses on that day as other tradesmen are.

And your Petitioners pray that the House will pass a Bill for closing all public-houses on Sundays.

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

[Here follow 19 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF PASTOR, MEMBERS, AND OTHER ATTENDERS OF THE BAPTIST CHURCH, CASTLEREAGH-STREET, SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 22 March, 1876.

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

The Petition of the undersigned, Pastor, Members, and other attenders of the Baptist Church,
Castlereagh-street, Sydney,—

HUMBLY SHOWETH :—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all public-houses on Sundays.

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

[Here follow 19 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.
(PETITION OF MEMBERS AND OTHERS OF THE WESLEYAN BAND OF HOPE, SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed; 22 March, 1876.

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

The Petition of the undersigned Members and others of the Wesleyan Band of Hope, Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on that day.

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

[Here follow 28 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MINISTER, MEMBERS, AND OTHERS OF PRIMITIVE METHODIST CHURCH,
KENT-STREET, SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 22 March, 1876.

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

The Petition of the undersigned Minister, Members, and others, of Primitive Methodist Church,
Kent-street, Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be compelled to close their houses on Sunday, as other tradesmen are.

And your Petitioners pray that the Honorable House will pass a Bill to close all public-houses on Sundays.

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

[Here follow 50 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MINISTER AND OTHERS OF ST. SILAS CHURCH, WATERLOO, AGAINST.)

Ordered by the Legislative Assembly to be printed, 22 March, 1876.

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

The Petition of the undersigned Minister and others of St. Silas Church, Waterloo,—

HUMBLY SHOWETH :—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill for the closing all public-houses on Sundays.

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

[Here follow 18 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION—MINISTER, MEMBERS, AND OTHERS OF WELSH CHURCH OF SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 22 March, 1876.

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

The Petition of the undersigned Minister, Members, and others of Welsh Church of Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe [that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all public-houses on Sundays.

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

[Here follow 11 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MEMBERS AND OTHERS OF THE CONGREGATIONAL CHURCH, PITT-STREET, SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 22 March, 1876.

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

The Petition of the undersigned Members and others of the Congregational Church, Pitt-street, Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill for the closing of all public-houses on Sundays.

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

[Here follow 14 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF TEMPERANCE SPEAKERS AND ATTENDERS ON HYDE PARK ON SUNDAYS, AGAINST.)

Ordered by the Legislative Assembly to be printed, 22 March, 1876.

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

The Petition of the undersigned Temperance Speakers and Attenders on Hyde Park on Sundays,—

HUMBLY SHOWETH :—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill for the closing all public-houses on Sundays.

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

[*Here follow 169 signatures.*]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MINISTER, MEMBERS, AND OTHERS, OF BAPTIST CHURCH, BOURKE-STREET,
WOOLLOOMOOLOO, SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 23 March, 1876.

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

The Petition of the undersigned Minister, Members, and others, of Baptist Church, Bourke-street, Woolloomooloo, Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill for the closing all public-houses on Sundays.

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

[Here follow 24 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.
(PETITION OF MINISTER AND OTHERS OF WESLEYAN CHURCH OF WATERLOO, AGAINST.)

Ordered by the Legislative Assembly to be printed, 23 March, 1876.

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

The Petition of the undersigned Minister and others of Wesleyan Church of Waterloo,—

HUMBLY SHOWETH :—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill for the closing of all public-houses on Sundays.

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

[*Here follow 15 signatures.*]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.
(PETITION, INHABITANTS OF SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 23 March, 1876.

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

The Petition of the undersigned 333 Inhabitants of Sydney, N. S. Wales,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be compelled to close their houses on Sundays as other tradesmen are.

And your Petitioners pray that the House will pass a Bill to close all such houses on Sundays.

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

[Here follow 333 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MEMBERS OF THE SOCIETY OF FRIENDS, SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 23 March, 1876.

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

The Petition of the undersigned Members of the Society of Friends, Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all public-houses on Sundays.

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

[*Here follow 17 signatures.*]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MINISTER, MEMBERS, AND OTHERS OF THE CONGREGATIONAL CHURCH AT BOURKE-STREET, SURRY HILLS, SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 23 March, 1876.

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

The Petition of the undersigned Minister, Members, and others of the Congregational Church at Bourke-street, Surry Hills, Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on Sundays.

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

[Here follow 44 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MINISTER, OFFICE-BEARERS, MEMBERS, AND ADHERENTS, OF ST. STEPHEN'S PRESBYTERIAN CHURCH,
PHILLIP-STREET, SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 11 April, 1876.

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

The Petition of the undersigned Minister, Office-bearers, Members, and Adherents, of St. Stephen's
Presbyterian Church, Phillip-street, Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that your Honorable House will pass a Bill to close all such houses on Sundays.

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

[Here follow 35 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF STUDENTS AND OTHERS AT SYDNEY UNIVERSITY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 11 April, 1876.

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

The Petition of the undersigned Students and others at Sydney University,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all public-houses on Sundays.

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

[Here follow 16 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF CITIZENS OF CITY OF SYDNEY, N.S. WALES, AGAINST.)

Ordered by the Legislative Assembly to be printed, 11 April, 1876.

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

The Petition of the undersigned Citizens of City of Sydney, N.S. Wales,—

HUMBLY SHOWETH :—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the Honorable House will pass a Bill to close all such houses on Sundays.

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

[Here follow 4,000 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF DEAN, PRIEST, AND OTHERS, OF ST. FRANCIS' ROMAN CATHOLIC CHURCH, HAY,
ELIZABETH, AND CAMPBELL STREETS, SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 11 April, 1876.

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

The Petition of the undersigned Dean, Priest, and others, of St. Francis' Roman Catholic Church,
Hay, Elizabeth, and Campbell Streets, Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on Sundays.

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

[Here follow 41 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MASTER AND STUDENTS OF CAMDEN COLLEGE, NEWTOWN, AGAINST.)

Ordered by the Legislative Assembly to be printed, 11 April, 1876.

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

The Petition of the undersigned Master and Students of Camden College, Newtown,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on that day.

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

[Here follow 6 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MINISTER, MEMBERS, AND OTHERS, BAPTIST CHURCH, BATHURST-STREET, AGAINST.)

Ordered by the Legislative Assembly to be printed, 11 April, 1876.

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

The Petition of the undersigned Minister, Members, and others, Baptist Church, Bathurst-street,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all public-houses on Sundays.

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

[Here follow 97 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MINISTER AND MEMBERS OF ST. PETER'S CHURCH OF ENGLAND TEMPERANCE SOCIETY, SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 11 April, 1876.

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

The Petition of the undersigned Minister and Members of St. Peter's Church of England Temperance Society, Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on Sundays.

And your Petitioners pray that the Honorable House will pass a Bill to close all such houses on Sundays.

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

[Here follow 70 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MINISTER, MEMBERS, AND OTHERS, OF PRESBYTERIAN CHURCH, PYRMONT, AGAINST.)

Ordered by the Legislative Assembly to be printed, 11 April, 1876.

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

The Petition of the undersigned Minister, Members, and others, of Presbyterian Church, Pyrmont,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on that day.

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

[Here follow 23 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF OFFICERS AND MEMBERS, AND OTHERS, OF THE YOUNG MEN'S CHRISTIAN ASSOCIATION, AGAINST.)

Ordered by the Legislative Assembly to be printed, 11 April, 1876.

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

The Petition of the undersigned Officers and Members, and others, of the Young Men's Christian Association,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on Sundays.

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

[Here follow 63 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MEMBERS OF ST. ANDREW'S CHURCH OF ENGLAND TEMPERANCE SOCIETY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 11 April, 1876.

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

The Petition of the undersigned Members of St. Andrew's Church of England Temperance Society,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on that day.

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

[Here follow 33 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF INHABITANTS OF WAVERLEY, WATERLOO, &c., AGAINST.)

Ordered by the Legislative Assembly to be printed, 11 April, 1876.

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

The Petition of the undersigned inhabitants of Waverley, Waterloo, &c.,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on that day.

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

[Here follow 196 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF OFFICERS AND MEMBERS OF THE PIONEER LODGE OF GOOD TEMPLARS OF SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 11 April, 1876.

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

The Petition of the undersigned Officers and Members of the Pioneer Lodge of Good Templars of Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all public-houses on Sundays.

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

[*Here follow 25 signatures.*]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MINISTER AND OTHERS, OF CONGREGATIONAL CHURCH, WATERLOO, AGAINST.)

Ordered by the Legislative Assembly to be printed, 11 April, 1876.

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

The Petition of the undersigned Minister and others, of Congregational Church, Waterloo,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all public-houses on Sundays.

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

[*Here follow 16 signatures.*]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MINISTER, MEMBERS, &c., OF PRESBYTERIAN CHURCH, PITT AND HAY STREETS, SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 11 April, 1876.

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

The Petition of the undersigned Minister, Members, &c., of Presbyterian Church, Pitt and Hay Streets, Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray your Honorable House to pass a Bill to close all such houses on Sundays.

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

[Here follow 22 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF INHABITANTS OF PADDINGTON AND WAVERLEY, &c., AGAINST.)

Ordered by the Legislative Assembly to be printed, 11 April, 1876.

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

The Petition of the undersigned Inhabitants of Paddington and Waverley, &c.,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on Sundays.

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

[Here follow 81 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF OFFICERS AND OTHERS, OF HERO OF WATERLOO GOOD TEMPLARS, AGAINST.)

Ordered by the Legislative Assembly to be printed, 11 April, 1876.

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

The Petition of the undersigned Officers and others, of Hero of Waterloo Good Templars,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on Sundays.

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

[*Here follow 71 signatures.*]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF OFFICERS, MEMBERS, AND OTHERS, OF ST. JOHN'S LODGE GOOD TEMPLARS,
PRESBYTERIAN SCHOOLROOM, PITT-STREET SOUTH, SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 11 April, 1876.

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

The Petition of the undersigned Officers, Members, and others, of St. John's Lodge Good Templars, Presbyterian Schoolroom, Pitt-street, South, Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all public-houses on Sundays.

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

[Here follow 44 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF CITIZENS OF CITY OF SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 11 April, 1876.

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

The Petition of the undersigned Citizens of City of Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on Sundays.

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

[*Here follow 440 signatures.*]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MEMBERS OF PITT-STREET CONGREGATIONAL CHURCH, CLASSES, &c., PITT-STREET, SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 11 April, 1876.

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

The Petition of the undersigned Members of Pitt-street Congregational Church, Classes, &c.,
Pitt-street, Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on Sundays.

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

[Here follow 18 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MEMBERS AND OTHERS OF WESLEYAN CHURCH, WILLIAM-STREET, SYDNEY,
AGAINST.)

Ordered by the Legislative Assembly to be printed, 11 April, 1876.

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

The Petition of the undersigned Members and others of Wesleyan Church, William-street,
Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on Sundays.

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

[Here follow 3 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF CITIZENS OF SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 11 April, 1876.

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

The Petition of the undersigned Citizens of Sydney,—

HUMBLY SHOWETH :—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on Sundays:

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

[Here follow 100 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF OFFICERS AND MEMBERS OF THE LIFE BOAT LODGE OF I.O.G.T., AT MARINERS' CHURCH READING ROOM, SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 11 April, 1876.

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

The Petition of the undersigned Officers and Members of the Life Boat Lodge of I.O.G.T., at
Mariners' Church Reading Room, Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on Sundays.

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

[*Here follow 50 signatures.*]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF OFFICERS AND MEMBERS OF THE UNITY LODGE OF THE I.O.G.T., ST. PAUL'S SCHOOLROOM, REDFERN, AGAINST.)

Ordered by the Legislative Assembly to be printed, 11 April, 1876.

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

The Petition of the undersigned Officers and Members of the Unity Lodge of the I.O.G.T.,
St. Paul's Schoolroom, Redfern,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on Sundays.

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

[Here follow 6 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF INHABITANTS OF MARRICKVILLE, NEWTOWN, AND ENMORE, &c., AGAINST.)

Ordered by the Legislative Assembly to be printed, 19 April, 1876.

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

The Petition of the undersigned Inhabitants of Marrickville, Newtown, and Enmore, &c.,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on Sundays.

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

[Here follow 57 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.
(PETITION OF INHABITANTS OF RYDE, &c., AGAINST.)

Ordered by the Legislative Assembly to be printed, 19 April, 1876.

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

The Petition of the undersigned Inhabitants of Ryde, &c.,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on Sundays.

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

[Here follow 125 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF INHABITANTS OF St. LEONARDS, &c., AGAINST.)

Ordered by the Legislative Assembly to be printed, 19 April, 1876.

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

The Petition of the undersigned Inhabitants of St. Leonards, &c.,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be compelled to close their houses on that day.

And your Petitioners pray that your Honorable House will pass a Bill to close all such houses on Sundays.

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

[Here follow 22 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MINISTER AND OTHERS OF ST. MARK'S CHURCH OF ENGLAND, ALEXANDRIA,
AGAINST.)

Ordered by the Legislative Assembly to be printed, 20 April, 1876.

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

The Petition of the undersigned Minister and others of St. Mark's Church of England,
Alexandria,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on that day.

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

[Here follow 94 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF THE MINISTER, CHURCHWARDENS, OFFICE-BEARERS, AND OTHERS OF ST. ANN'S CHURCH, RYDE, AGAINST.)

Ordered by the Legislative Assembly to be printed, 25 April, 1876.

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

The Petition of the undersigned the Minister, Churchwardens, Office-bearers, and others of St. Ann's Church, Ryde,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be compelled to close their houses on Sunday as other tradesmen are.

Your Petitioners therefore humbly pray that your Honorable House will be pleased to pass such a Bill as will compel these houses to close on Sunday.

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

[Here follow 16 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MINISTER AND OFFICE-BEARERS OF THE WESLEYAN CHURCH, RYDE,
AGAINST.)

Ordered by the Legislative Assembly to be printed, 25 April, 1876.

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

The Petition of the undersigned Minister and Office-bearers of the Wesleyan Church, Ryde,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be compelled to close their houses on Sundays as other tradesmen are.

Your Petitioners humbly pray that your Honorable House will be pleased to pass such a Bill as will compel these houses to close on Sunday.

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

[Here follow 10 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF OFFICERS AND MEMBERS OF AUSTRALIAN DIVISION, No. 76, SONS OF TEMPERANCE,
AT MASONIC TEMPLE, CLARENCE-STREET, SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 26 April, 1876.

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

The Petition of the undersigned Officers and Members of Australian Division No. 76, Sons
of Temperance, at Masonic Temple, Clarence-street, Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts; upon Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners trust that your Honorable House will pass a Bill to close all such houses on Sundays.

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

[*Here follow 27 signatures.*]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MEMBERS AND OTHERS, OF THE WESLEYAN CHURCH, CHIPPENDALE, AGAINST.)

Ordered by the Legislative Assembly to be printed, 26 April, 1876.

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

The Petition of the undersigned Members and others, of the Wesleyan Church, Chippendale,—

HUMBLY SHOWETH :—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on Sundays.

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

[*Here follow 32 signatures.*]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MEMBERS OF GUIDING STAR DIVISION OF THE DAUGHTERS AND OTHERS OF TEMPERANCE, BALMAIN, AGAINST.)

Ordered by the Legislative Assembly to be printed, 26 April, 1876.

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

The Petition of the undersigned Members of Guiding Star Division of the Daughters and others of Temperance, Balmain,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on Sundays.

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

[Here follow 22 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF OFFICERS AND MEMBERS OF HAVILAH LODGE OF GOOD TEMPLARS OF MUDGEES,
AGAINST.)

Ordered by the Legislative Assembly to be printed, 26 April, 1876.

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

The Petition of the undersigned Officers and Members of Havilah Lodge of Good Templars of Mudgee,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that your Honorable House will pass a Bill to close all such houses on Sundays.

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

[Here follow 28 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF OFFICERS AND MEMBERS OF DIVISION OF SONS OF TEMPERANCE, HILL END,
TAMBAROORA, AGAINST.)

Ordered by the Legislative Assembly to be printed, 26 April, 1876.

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

The Petition of the undersigned Officers and Members of Division of Temperance,
Hill End, Tambaroora,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on Sundays.

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

[Here follow 54 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF INHABITANTS AND OTHERS OF PARRAMATTA, AGAINST.)

Ordered by the Legislative Assembly to be printed, 26 April, 1876.

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

The Petition of the undersigned Inhabitants and others of Parramatta,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on Sundays.

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

[Here follow 75 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF HIS GRACE ARCHBISHOP VAUGHAN AND STUDENTS OF ST. JOHN'S COLLEGE,
AGAINST.)

Ordered by the Legislative Assembly to be printed, 27 April, 1876.

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

The Petition of the undersigned His Grace Archbishop Vaughan and Students of St. John's College,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on Sundays.

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

[Here follow 6 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF EMPLOYEES AT THE SYDNEY MORNING HERALD AND EVENING NEWS, SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 27 April, 1876.

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

The Petition of the undersigned Employés of the *Sydney Morning Herald* and *Evening News*,
Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that your Honorable House will pass a Bill to close all such houses on Sundays.

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

[*Here follow 76 signatures.*]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF CITIZENS OF THE CITY OF SYDNEY AND ELSEWHERE, AGAINST.)

Ordered by the Legislative Assembly to be printed, 27 April, 1876.

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

The Petition of the undersigned Citizens of the City of Sydney and elsewhere,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that your Honorable House will pass a Bill to close all such houses on Sundays.

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

[*Here follow 700 signatures.*]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF CHAIRMAN AND AUDIENCE OF PUBLIC LECTURE ASSEMBLED, HELD IN THE
TEMPERANCE HALL, PITT-STREET, AGAINST.)

Ordered by the Legislative Assembly to be printed, 27 April, 1876.

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

The Petition of the undersigned Chairman and Audience of Public Lecture assembled, held in
the Temperance Hall, Pitt-street,—

HUMBLY SHOWETH :—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that your Honorable House will pass a Bill to close all such houses on Sundays.

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

Signed on behalf of the meeting,—

JOHN ROSEBY,
Chairman.

Sydney, 19th April, 1876.

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION, CITIZENS OF SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 28 April, 1876.

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

The Petition of the undersigned Citizens of Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be compelled to close their houses on Sundays, as other tradesmen are.

And your Petitioners pray that your Honorable House will pass a Bill to close all such houses on Sundays.

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

[Here follow 29 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION AGAINST—RESIDENTS ON ARALUEN GOLD FIELD.)

Ordered by the Legislative Assembly to be printed, 28 April, 1876.

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

The Petition of the undersigned Tradesmen, Miners, and others, residents on the Araluen Gold Field,—

HUMBLY SHOWETH:—

That your Petitioners believe that the opening of public-houses on Sundays for the sale of intoxicating drinks to be immoral, productive of much evil, and not necessary for the convenience of the public.

Your Petitioners therefore pray that you will be pleased to pass a Bill for the closing of all public-houses on Sundays.

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

[*Here follow 88 signatures.*]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MEMBERS OF TEMPLE OF HOPE, I.O.G.T., AND RESIDENTS OF TENTERFIELD,
AGAINST.)

Ordered by the Legislative Assembly to be printed, 2 May, 1876.

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

The Petition of the undersigned Members of Temple of Hope, I.O.G.T., and Residents of Tenterfield,—

HUMBLY SHOWETH :—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on Sundays.

And your Petitioners pray that the House will pass a Bill to close all public-houses on Sabbath days.

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

[*Here follow 105 signatures.*]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF RESIDENTS OF SINGLETON, AGAINST.)

Ordered by the Legislative Assembly to be printed, 11 May, 1876.

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

The Petition of the undersigned,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be compelled to close their houses on Sunday as other tradesmen are.

And your Petitioners pray that the House will pass a Bill to close all such houses on Sundays.

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

[Here follow 124 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.
(PETITION OF RESIDENTS OF GOULBURN, AGAINST)

Ordered by the Legislative Assembly to be printed, 12 May, 1876.

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

The Petition of the undersigned Residents of Goulburn,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such places on the Sabbath day.

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

[*Here follow 536 signatures.*]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MEMBERS OF ST. DAVID'S CHURCH OF ENGLAND AND OTHERS, SURRY HILLS, AGAINST.)

Ordered by the Legislative Assembly to be printed, 12 May, 1876.

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

The Petition of the undersigned Members of St. David's Church of England and others, Surry Hills,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be compelled to close their houses on Sunday, as other tradesmen are.

And your Petitioners pray that the Honorable House will pass a Bill to close all such houses on Sundays.

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

[*Here follow 182 signatures.*]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.
(PETITION OF INHABITANTS OF BALMAIN, AGAINST.)

Ordered by the Legislative Assembly to be printed, 16 May, 1876.

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

The Petition of the undersigned Inhabitants of Balmain,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be compelled to close their houses on Sunday as other tradesmen are.

And your Petitioners pray that the Honorable House will pass a Bill to close all such houses on Sundays.

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

[*Here follow 37 signatures.*]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF CITIZENS OF SYDNEY, AGAINST.)

Ordered by the Legislative Assembly to be printed, 16 May, 1876.

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

The Petition of the undersigned Citizens of Sydney,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill for the closing all such houses on the Sabbathday.

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

[Here follow 102 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF INHABITANTS OF LANE COVE, AGAINST.)

Ordered by the Legislative Assembly to be printed, 17 May, 1876.

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

The Petition of the undersigned Inhabitants of Lane Cove,—

HUMBLY SHOWETH :—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on Sundays.

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

[Here follow 30 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF RESIDENTS OF MARRICKVILLE, ENMORE, &c., AGAINST.)

Ordered by the Legislative Assembly to be printed, 17 May, 1876.

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

The Petition of the undersigned Residents of Marrickville, Enmore, &c., in the Electoral District of Canterbury,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all such houses on Sundays.

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

[Here follow 35 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF MAYOR, ALDERMEN, AND RESIDENTS OF CAMPERDOWN, AGAINST.)

Ordered by the Legislative Assembly to be printed, 25 May, 1876.

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

The Petition of the undersigned Mayor, Aldermen, and Residents of Camperdown,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that the House will pass a Bill to close all public-houses on Sundays.

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

[Here follow 60 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION OF RESIDENTS OF JUNCTION POINT, TUENA, AGAINST.)

Ordered by the Legislative Assembly to be printed, 25 May, 1876.

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

The Petition of the undersigned Residents of Junction Point, Tuena, and its neighbourhood,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drinks is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray that your Honorable House will pass a Bill to close all such houses on Sundays.

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

[Here follow 23 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY:
NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.
(PETITION AGAINST—DAUGHTERS OF TEMPERANCE, WAGGA WAGGA.)

Ordered by the Legislative Assembly to be printed, 2 June, 1876.

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

The Petition of the undersigned Members of a Society in Wagga Wagga, known as "Daughters of Temperance," and others,—

HUMBLY SHOWETH:—

That in the Borough of Wagga Wagga there are twenty-one licensed houses for the sale of intoxicating liquors, the bars of which the law of the Colony opens for traffic every Sunday throughout the year.

2. That this legal opening of said bars is positively of no public benefit whatsoever, but an instigation to drunkenness, profanity, and too often crime.

Your Petitioners therefore pray your Honorable House to amend the law so that these houses in common with other places of business shall be closed on Sundays.

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

[Here follow 21 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION AGAINST—SONS OF TEMPERANCE, WAGGA WAGGA.)

Ordered by the Legislative Assembly to be printed, 2 June, 1876.

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

The Petition of the undersigned members of Societies in Wagga Wagga, known as "Sons of Temperance, and Good Templars," and others,—

HUMBLY SHOWETH:—

That in the Borough of Wagga Wagga there are twenty-one licensed houses for the sale of intoxicating liquors, the bars of which the law of the Colony opens for traffic every Sunday throughout the year.

2. That this legal opening of said bars is positively of no public benefit whatsoever, but an instigation to drunkenness, profanity, and too often crime.

Your Petitioners therefore pray your Honorable House to amend the law so that these houses in common with other places of business shall be closed on Sundays.

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

[Here follow 54 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION AGAINST—INHABITANTS OF TUMUT.)

Ordered by the Legislative Assembly to be printed, 28 June, 1876.

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

The Petition of the undersigned Inhabitants of Tumut, and the surrounding neighbourhood,—

HUMBLY SHOWETH:—

1st. That the sale of intoxicating drinks on any part of the Sabbath-day is productive of intemperance, and therefore potent in its demoralizing influence on the community, especially injurious to labourers and mechanics, and fruitful of all the crimes and domestic misery which are known to proceed from drunkenness.

2nd. That we consider it would be highly advantageous to the general public, particularly in the improvement of the moral tone of society, if the sale of intoxicating drinks were prohibited and all public-houses kept closed during the whole of the Sabbath-day.

3rd. That in laying the foregoing statement before your Honorable House it will be perceived that it is the desire of your Petitioners to see such an amendment in the "Publicans' Act" as will cause all public-houses throughout the Colony to be closed the whole of the Lord's Day, and thereby satisfy the just demands of all those who aim by the suppression of intemperance at the moral elevation of the community.

Your Petitioners therefore humbly pray that your Honorable House will cause all public-houses throughout the Colony to be closed during the whole of the Sabbath-day.

And your Petitioners will ever pray.

[Here follow 174 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SUNDAY TRAFFIC IN INTOXICATING LIQUORS.

(PETITION—RESIDENTS IN SHOALHAVEN.)

Ordered by the Legislative Assembly to be printed, 19 July, 1876.

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

The Petition of the undersigned Residents in Shoalhaven,—

HUMBLY SHOWETH:—

That your Petitioners believe that the Sunday traffic in intoxicating drink is a fruitful source of crime, misery, drunkenness, and immorality, as proved by the records of our Police Courts, whose Monday business chiefly consists of cases arising from this cause. And that it is therefore necessary to the welfare of the community that publicans should be subject to the laws affecting other trades, and compelled to close their houses on that day.

And your Petitioners pray your Honorable House to pass a Bill to close all such houses on Sundays.

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

[Here follow 28 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

PREVENTION OF SCARLET FEVER.

(MEMORANDUM OF ACTING MEDICAL ADVISER TO THE GOVERNMENT.)

Ordered by the Legislative Assembly to be printed, 10 May, 1876.

MEMORANDUM prepared by the Acting Medical Adviser to the Government, for distribution in the Country Districts, with the view of averting or reducing the virulence of any serious outbreak of Scarlet Fever or other epidemic disease.

PUBLIC Hygiene* can only be effective when it enlists the services of the people themselves in continuous efforts at self-improvement and self-help, and in promoting the various influences for the material good of the community, and counteracting those tending to its deterioration.

The appalling waste of life caused by preventable disease, which is removable by ordinary sanitary administration, is hardly yet realised, although Mr. Simon wrote in 1871 as follows:—

“It seems certain that the deaths which occur in this country are fully a third more numerous than they would be if our existing knowledge of the chief causes of disease were reasonably well applied throughout the country; that, of deaths which, in this sense, may be called preventable, the average yearly number in England and Wales is about 120,000; and that of the 120,000 cases of preventable suffering, which thus in every year attain their final place in the death register, each unit represents a larger or smaller group of other cases in which preventable disease not ending in death, though often of far-reaching effects on life, has been suffered. And while these vast quantities of needless animal suffering, if regarded merely as such, would be matter for indignant human protest, it further has to be remembered as of legislative concern, that the physical strength of a people is an essential and main factor of national prosperity; that disease, so far as it affects the workers of the population, is in direct antagonism to industry, and that disease which affects the growing and reproductive parts of a population must also, in part, be regarded as tending to deterioration of the race.”

Such was the opinion, four years ago, of the highest authority of our day, who has since then corroborated it by additional experience.

The object of this memorandum (which is prepared at the request of the Honorable the Colonial Secretary) is to indicate some few guiding principles, by attention to which the general health of the country districts may be promoted, and the present tendency to epidemic disease may be more or less counteracted.

The more important predisposing influences which tend to the development of disease in this Colony are as follows:—

1. Errors in diet—
 - a. Intemperance.
 - b. Excess and insufficiency of food.
 - c. Monotony of diet, and insufficient use of vegetables and fruit.
 - d. Long periods of fasting.
2. Exposure to sun.
3. Insufficient habits of personal cleanliness.
4. Insufficient ventilation and cleanliness within and around houses.
5. Bad drainage and soakage under and around houses.
6. Hereditary influences.
7. Immorality, idleness, and excessive fatigue.
8. Specific disease poisons, such as those of scarlet fever, small-pox, typhoid fever, measles, &c.

In respect to such diseases as those last mentioned in Class 8, and which are termed “contagious,” it should be borne in mind that the germs or specific poisons upon which they depend are probably, more or less, always present in localities where there is a considerable population, and that their development into disease is delayed only by the absence of circumstances favourable to the process; and further, that it is proved we can do much towards averting or materially lessening the danger of epidemics by a judicious application of simple rules such as those about to be mentioned, and which have been framed for the information and guidance of non-professional persons in the country districts.

WATER

* The department of medicine which treats of the preservation of health.

WATER SUPPLY.

All water used for domestic and drinking purposes should be pure; and the source from which it is obtained should be carefully guarded against the possible contamination of fæcal or decomposing organic matter.

Water-tanks should be thoroughly cleansed out and aired once a year.

When doubt is entertained respecting the purity of any water required for drinking or cooking purposes, it should be filtered and boiled before use.

OPEN PUBLIC DRAINS.

4. These should, as much as possible, be formed of unabsorbent material, should have a good fall, and invariably lead from the direction of any water supply. They should receive no house-refuse, or drainage from water-closets, privies, &c., and should be kept clean and free of obstructions.

RUBBISH, REFUSE, &c.

5. No manure, rubbish, or refuse from houses, slaughter-houses, yards, or trade premises, should be allowed to accumulate within towns, or near dwellings. When removed, it should either at once be worked into the ground as manure, or be placed in a pit and covered with 4 or 6 inches of dry earth. Should it be impossible or inexpedient to remove it at any time, it should be covered with fine charcoal to a depth of 2 or 3 inches, and then with a layer of earth.

PRIVIES.

6. The soil-pit of all privies should be constructed of brick, faced on the inside with Portland cement, and the soil should be periodically removed before the pit becomes full. The closet itself should be well ventilated, and its interior frequently lime-washed. The soil-pit should also be well and separately ventilated.

7. Those which have been constructed without brick-lined pits should be disused and emptied, any surrounding contaminated soil being at the same time removed, and the hole filled with fresh mould, which, when possible, should be mixed with quick-lime, in the proportion of about one part of lime to 200 parts of dry earth.

8. All disused privies should be dealt with in the same way.

9. No privy should be constructed, or unused privy permitted to remain, in the locality of wells, or where the fall of subsoil water is in the direction of any adjacent wells or watercourse from which a supply of water is obtained for domestic purposes.

10. The excreta of persons suffering from typhoid fever or scarlet fever should not be thrown into a water-closet or privy, but should be buried in a trench of fresh earth 18 inches deep.

SOAKAGE.

11. When the earth near dwellings has become unwholesome from the soakage of decaying animal or vegetable matter, it should be removed and treated as described in paragraph 7.

HOUSES AND PREMISES.

In these perfect cleanliness and free ventilation, by night as well as day, are essential to health, and of even more importance in illness.

The most ready and wholesome purifying agents are chloride of lime, quick-lime, and lime-wash; the latter of which cannot be applied too frequently to the interior of houses.

All house drains which communicate with sewers should be effectually trapped, and the traps kept full of water. The drain-pipes of sinks, baths, &c., should always terminate over and a few inches from a trapped drain grating, and never lead into a drain or sewer.

Accumulations of decomposing rubbish or any kind of organic matter should not be permitted to remain in back yards, sheds, or other confined private premises.

Stinks and offensive odours are the usual and natural concomitants of a poisoned atmosphere, *but poison capable of producing contagious or epidemic disease may exist without perceptible smell.*

OCCURRENCE OF FEVER.

The poison of scarlet fever and other contagious diseases mainly exists in the exhalations from the patient, and may be conveyed in the clothes of an attendant from one house to another. This source of danger cannot therefore be altogether avoided, though the poison can be so much diluted by great cleanliness, free ventilation, &c., that its injurious tendencies are reduced to a minimum.

When this disease occurs in a family, the patient should if possible be placed in a full-sized, airy room, detached from the house, or if this cannot be procured, in one the atmosphere of which can be isolated from the other rooms. Every article of furniture not absolutely required, and all hangings, carpets, drapery, and curtains should be removed, and the floors washed and dried before the patient is brought in.

The ventilation of the room should be so regulated that at no time, night or day, should any difference as to freshness and purity be perceptible between the atmosphere within the apartment and the open air, and this should be accomplished without exposing the patient to draught. The floor should be cleansed daily, with a mop damped with a solution of chloride of lime, of a strength of 2 ozs. of chloride of lime to 1 gallon of water.

If the patient's room communicates with the house by a door, this should be kept closed as much as possible, and all secretions, soiled linen, &c., should be passed from the apartment through a window into the open air, and at once removed.

The linen and bed-clothes should be changed frequently, those soiled being at once placed in cold water containing about an ounce of chloride of lime or Condy's fluid to the gallon.

The utensils should be cleansed immediately after use, and a tablespoonful of chloride of lime or of carbolic acid or Condy's fluid should be put into the bed-pan before it is used.

The welfare of the patient and the health of others render it highly desirable that visitors should not be allowed into the sick room.

Every possible door and window in the house should be kept open day and night during the illness.

The

The house may be fumigated with sulphur from time to time during the illness, and after it; but it cannot be too much borne in mind, that neither this nor any other form of disinfection can take the place of free ventilation and constant perfect cleanliness, though it will prove of service as a supplementary agent.

One attendant should devote herself to the patient, and avoid mixing with other persons; the clothes she wears during the illness should be boiled as well as washed before she wears them among other people.

The patient should not be allowed to mix with other persons for fourteen days after the skin has peeled off, and all the cautions necessary to avoid contagion are quite as important during convalescence as during the acute stage of the disease.

After an illness, the floor and woodwork of the sick room should be well washed with a solution of chloride of lime (one ounce to the gallon), and the walls and ceiling lime-washed; or if the room is papered, it may be fumigated with sulphur*; the windows should be left open night and day for the ensuing week.

In the event of a person dying from scarlet fever, it is desirable that the body should be buried within twenty-four hours.

QUARANTINE.

No law at present exists in this Colony by which any persons afflicted with a contagious disease can be isolated from others against their will; but should many cases of scarlet fever make their appearance in a town, and a well-ventilated, detached, empty house can be obtained, and the patients are willing to be removed, it will be very desirable that they should be placed in it, due provision being of course made for their medical attendance and nursing.

A good slab hut, healthily situated and lime-washed inside, makes an excellent sick room.

ATTENDANCE AT SCHOOL.

Schoolmasters should be directed not to allow any children to attend school who may have any rash upon them in any degree resembling scarlet fever, or who live in a house in which it exists, or has existed within the three preceding weeks. They should also be required to report any cases of actual or suspected scarlet fever which may occur among their pupils.

* NOTE.—To fumigate a room—place from one to two ounces of flour of sulphur upon a hot brick, and let it burn upon the hearth; the chimney, windows, and doors being closed.

December, 1875.

1875.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

THE MEDICAL PROFESSION.

(PETITION OF MEMBERS OF.)

Ordered by the Legislative Assembly to be printed, 16 December, 1875.

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

The humble Petition of the undersigned, Members of the Medical Profession, practising in New
South Wales,—

RESPECTFULLY SHOWETH:—

1st. That your Petitioners have attained the position they now hold in consequence of having studied the various arts and sciences which are necessary to a knowledge of their profession during several years. This entailed on them much mental labour and great expense. They underwent subsequent examinations before recognized competent examining bodies, who conferred upon them the degrees and diplomas which they now hold.

2nd. Your Petitioners feel aggrieved that in the existing state of the law there is no penalty imposed on persons who assume the professional designations which they have thus laboriously and expensively acquired for themselves.

3rd. Your Petitioners respectfully represent that, in their opinion, the assumption of their professional designations by persons not entitled to them is injurious to your Petitioners, and liable to lower their social status as scientific men.

4th. That your Petitioners, as natural guardians of the public health, consider that it is detrimental to the community that persons should practise the medical profession without a material guarantee that they at least understand its rudiments.

5th. Your Petitioners humbly represent that they are justly entitled, as members of a learned profession, to regulate that profession, under confirmation by the Government, to admit those who are of the same standing as themselves, and remove those who on account of their infamous conduct are no longer worthy to remain in its ranks.

6th. Your Petitioners humbly represent that the privilege of regulating their own affairs is granted by the law to other professions in New South Wales—to that of the law, the mercantile marine, the Defence Force of the Colony, and the clergy of the various Christian denominations.

Your Petitioners therefore pray that your Honorable House will pass an Act that will assimilate the laws relating to the medical profession here to those now in force in the United Kingdom.

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

[Here follow 60 signatures.]

1875.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

THE MEDICAL PROFESSION.

(PETITION OF INHABITANTS OF NEWCASTLE.)

Ordered by the Legislative Assembly to be printed, 16 December, 1875.

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

The humble Petition of the undersigned inhabitants of Newcastle, in the Colony of New South
Wales,—

RESPECTFULLY SHOWETH:—

1st. That your Petitioners are liable to suffer injury and maltreatment during illness, as they are unable to distinguish educated and qualified medical men from those who assume their titles and designations.

2nd. That the encouragement of high-class medical education will tend to the prevention as well as cure of disease, and thus promote the well being of the community.

3rd. That your Petitioners desire to be placed in the same relative position with regard to the medical profession as are Her Majesty's subjects in the Home Country, and most of her dependencies.

4th. Your Petitioners therefore pray that your Honorable House will pass an Act that will assimilate the laws with regard to the medical profession of New South Wales to those now in force in the United Kingdom.

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

[Here follow 493 signatures.]

1875.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

THE MEDICAL PROFESSION.

(PETITION IN FAVOR OF A MEDICAL BILL—INHABITANTS AND RESIDENTS OF SYDNEY.)

Ordered by the Legislative Assembly to be printed, 21 December, 1875.

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

Honorable Gentlemen,—the Petition of the undersigned inhabitants and residents of Sydney,—

HUMBLY SHOWETH:—

That your Petitioners have hitherto been deprived of legal protection from injury and mal-treatment in sickness in consequence of there not being any Statute to restrain the fraud and imposture which is now extensively carried on throughout New South Wales by a class of persons professing to be duly qualified Practitioners in the art and science of medicine and surgery, but who are in reality impostors, possessing no recognized qualifications whatever.

That, in consequence of there being at present no such Act of Parliament in this Colony, we, your Petitioners, would respectfully pray that a Medical Bill be brought before Parliament, which would assimilate the laws with regard to the medical profession to those now in force in the United Kingdom.

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

[Here follow 55 signatures.]

1875.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

THE MEDICAL PROFESSION.
(PETITION IN FAVOR OF A MEDICAL BILL—INHABITANTS OF SYDNEY.)

Ordered by the Legislative Assembly to be printed, 21 December, 1875.

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

The humble Petition of the undersigned inhabitants of Sydney,—

RESPECTFULLY SHOWETH:—

1st. That your Petitioners are liable to suffer injury and maltreatment during illness as they are unable to distinguish educated and qualified medical men from those who assume their titles and designations.

2nd. That the encouragement of high-class medical education will tend to the prevention as well as cure of disease, and thus promote the well-being of the community.

3rd. That your Petitioners desire to be placed on the same relative position with regard to the medical profession as are Her Majesty's subjects in the Home country and most of her dependencies.

Your Petitioners therefore pray that your Honorable House will pass an Act that will assimilate the laws with regard to the medical profession of New South Wales to those now in force in the United Kingdom.

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

[Here follow 243 signatures.]

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1875.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

THE MEDICAL PROFESSION.

(PETITION IN FAVOR OF A MEDICAL BILL—INHABITANTS OF COOMA.)

Ordered by the Legislative Assembly to be printed, 21 December, 1875.

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

The humble Petition of the undersigned inhabitants of Cooma and others,—

RESPECTFULLY SHOWETH :—

1st. That your Petitioners are liable to suffer injury and maltreatment during illness, as they are unable to distinguish educated and qualified medical men from those who assume their titles and designations.

2nd. That the encouragement of high class medical education will tend to the prevention as well as cure of disease, and thus promote the well-being of the community.

3rd. That your Petitioners desire to be placed on the same relative position with regard to the medical profession as are Her Majesty's subjects in the Home country and most of her dependencies.

Your Petitioners therefore pray that your Honorable House will pass an Act that will assimilate the laws with regard to the medical profession of New South Wales to those now in force in the United Kingdom.

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

[Here follow 17 signatures.]

1951

1951

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1875.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

THE MEDICAL PROFESSION.

(PETITION IN FAVOR OF A MEDICAL BILL—INHABITANTS OF BATHURST.)

Ordered by the Legislative Assembly to be printed, 21 December, 1875.

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

Honorable Gentlemen,—the Petition of the undersigned inhabitants and residents of the City and District of Bathurst,—

HUMBLY SHOWETH :—

That your Petitioners have hitherto been deprived of legal protection from injury and maltreatment in consequence of there not being any Statute to restrain the fraud and imposture which is so extensively carried on throughout New South Wales by a class of persons professing to be duly qualified practitioners in the art and science of medicine and surgery, but who are in reality impostors possessing no recognized qualifications whatever.

That, in consequence of there being at present no such Act of Parliament in this Colony, we, your Petitioners, would respectfully pray that a Medical Bill be brought before Parliament which would assimilate the laws with regard to the medical profession to those now in force in the United Kingdom.

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

[Here follow 55 signatures.]

1875.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

THE MEDICAL PROFESSION.
(PETITION IN FAVOR OF A MEDICAL BILL—RESIDENTS OF MUDGEES)

Ordered by the Legislative Assembly to be printed, 21 December, 1875.

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

Gentlemen,—the Petition of the undersigned inhabitants and residents of Mudgee and others,—

HUMBLY SHOWETH:—

That your Petitioners have hitherto been deprived of legal protection from injury and maltreatment in sickness in consequence of there not being any Statute to restrain the fraud and imposture which is now extensively carried on throughout New South Wales by a class of persons professing to be duly qualified practitioners in the art and science of medicine and surgery, but who are in reality impostors, possessing no recognized qualifications whatever.

That, in consequence of there being at present no such Act of Parliament in this Colony, we, your Petitioners, would respectfully pray that a Medical Bill be brought before Parliament which would assimilate the laws with regard to the medical profession to those now in force in the United Kingdom.

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

[Here follow 22 signatures.]

1875.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

THE MEDICAL PROFESSION.

(PETITION IN FAVOR OF A MEDICAL BILL—RESIDENTS OF HILL END.)

Ordered by the Legislative Assembly to be printed, 21 December, 1875.

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

Gentlemen,—the Petition of the undersigned inhabitants and residents of Hill End, and others,—

HUMBLY SHOWETH:—

That your Petitioners have hitherto been deprived of legal protection from injury and maltreatment in sickness in consequence of there not being any Statute to restrain the fraud and imposture which is now extensively carried on throughout New South Wales by a class of persons professing to be duly qualified practitioners in the art and science of medicine and surgery, but are in reality impostors, possessing no recognized qualifications whatever.

That, in consequence of there being at present no such Act of Parliament in this Colony, we, your Petitioners, would respectfully pray that a Medical Bill be brought before Parliament which would assimilate the laws with regard to the medical profession to those now in force in the United Kingdom.

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

[Here follow 67 signatures.]

1875.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

THE MEDICAL PROFESSION.

(PETITION IN FAVOR OF A MEDICAL BILL—INHABITANTS OF DUBBO.)

Ordered by the Legislative Assembly to be printed, 21 December, 1875.

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

Honorable Gentlemen,—the Petition of the undersigned inhabitants and residents of Dubbo and others,—

HUMBLY SHOWETH:—

That your Petitioners have hitherto been deprived of legal protection from injury and maltreatment in sickness, in consequence of there not being any Statute to restrain the fraud and imposture which is now carried on throughout New South Wales by a class of persons professing to be duly qualified practitioners in the art and science of medicine and surgery, but who are in reality impostors, possessing no recognized qualifications whatever.

That, in consequence of there being at present no such Act of Parliament in this Colony, we, your Petitioners, would respectfully pray that a Medical Bill be brought before Parliament which would assimilate the laws with regard to the medical profession to those now in force in the United Kingdom.

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

[Here follow 36 signatures.]

1875.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

THE MEDICAL PROFESSION.

(PETITION IN FAVOR OF A MEDICAL BILL—INHABITANTS OF MAITLAND.)

Ordered by the Legislative Assembly to be printed, 21 December, 1875.

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

Honorable Gentlemen, the Petition of the undersigned Inhabitants and Residents of Maitland,—

HUMBLY SHOWETH :—

That your Petitioners have hitherto been deprived of legal protection from injury and maltreatment in sickness, in consequence of there not being any Statute to restrain the fraud and imposture which is now extensively carried on throughout New South Wales by a class of persons professing to be duly qualified practitioners in the art and science of medicine and surgery, but who are in reality imposters, possessing no recognized qualifications whatever.

That in consequence of there being at present no such Act of Parliament in this Colony, we, your Petitioners, would respectfully pray that a Medical Bill be brought before Parliament, which would assimilate the laws with regards to the medical profession to those now in force in the United Kingdom.

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

[Here follow 54 signatures.]

1875.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

THE MEDICAL PROFESSION.
(PETITION IN FAVOR OF A MEDICAL BILL—RESIDENTS OF TRUNKEY CREEK.)

Ordered by the Legislative Assembly to be printed, 21 December, 1875.

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

Gentlemen,—the Petition of the undersigned inhabitants and residents of Trunkey Creek and its vicinity and others,—

HUMBLY SHOWETH :—

That your Petitioners have hitherto been deprived of legal protection from injury and maltreatment in sickness, in consequence of there not being any Statute to restrain the fraud and imposture [which is now extensively carried on through New South Wales by a class of persons professing to be duly qualified practitioners in the art and science of medicine and surgery, but who are in reality impostors, possessing no recognized qualifications whatever.

That, in consequence of there being at present no such Act of Parliament in this Colony, we your Petitioners would respectfully pray that a Medical Bill be brought before Parliament which would assimilate the laws with regard to the medical profession to those now in force in the United Kingdom.

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

[Here follow 53 signatures.]

1875.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

THE MEDICAL PROFESSION.

(PETITION IN FAVOR OF MEDICAL BILL—THOMAS HOGG, SURGEON.)

Ordered by the Legislative Assembly to be printed, 22 December, 1875.

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

The humble Petition of Thomas Hogg, Surgeon, late H. M. Indian Army,—

RESPECTFULLY SHOWETH :—

That your Petitioner was for thirty-five years in the Medical Service of the late Honorable East India Company as a Surgeon and general Practitioner; and retired to this Colony on a pension.

Your Petitioner is registered as a Surgeon and legal qualified Medical Practitioner under the Medical Act of Great Britain, by the General Council of Medical Education and Registration of the United Kingdom.

But under the existing Medical Act of New South Wales your Petitioner has no status as a Surgeon or as a legally qualified Medical Practitioner in the Colony, and is thereby debarred from legally practising his profession, owing to the said Act being defective, imperfect, and unsatisfactory.

While therefore in India your Petitioner was fully engaged in both public and private practice, in this Colony now for many years, notwithstanding his former Petition, he is still, with the fact that he is registered by the Imperial Medical Council, unable to offer himself as a legally qualified candidate for any public or private medical appointment, or honorably to offer his services as a surgeon.

Your Petitioner humbly begs to state to your Honorable House that the Imperial Parliament has legislated for the Colonies to adopt the Medical Act of Great Britain with special reference to registration by the General Council of Medical Education and Registration of the United Kingdom,—“*that any person who has been duly registered under the Medical Act shall be entitled to be registered in any colony.*” (*Vide Victoria Regina, cap. 29.*—An Act to amend the law relating to Medical Practitioners in the Colonies, 29 May, 1868, paragraph 3.)

Under all the circumstances now stated your Petitioner considers that he is not only deprived of the status and emoluments he is entitled to, the rights and privileges of his profession, but that he is through the defect of the present Medical Act placed in a position of great hardship if not of positive degradation—subjected to insult and imposition.

And your Petitioner humbly and earnestly prays that your Honorable House will take the premises into your favorable consideration and pass a Medical Bill—such as may be presented to your Honorable House, that a long delayed act of justice and right may be done to your Petitioner.

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

THOMAS HOGG, Surgeon,
(late H. M. Indian Army.)

Newtown Road,
Sydney, 21 December, 1875.

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

THE MEDICAL PROFESSION.

(PETITION IN FAVOR OF A MEDICAL BILL—INHABITANTS OF HILL END.)

Ordered by the Legislative Assembly to be printed, 23 February, 1876.

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

The humble Petition of the undersigned inhabitants of Hill End,—

RESPECTFULLY SHOWETH:—

1st. That your Petitioners are liable to suffer injury and maltreatment during illness as they are unable to distinguish educated and qualified medical men from those who assume their titles and designations.

2nd. That the encouragement of high-class medical education will tend to the prevention as well as cure of disease, and thus promote the well-being of the community.

3rd. That your Petitioners desire to be placed on the same relative position with regard to the medical profession as are Her Majesty's subjects in the Home country and most of her dependencies.

Your Petitioners therefore pray that your Honorable House will pass an Act that will assimilate the laws with regard to the medical profession of New South Wales to those now in force in the United Kingdom.

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

[Here follow 103 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

THE MEDICAL PROFESSION.

(PETITION IN FAVOR OF A MEDICAL BILL—INHABITANTS OF SINGLETON.)

Ordered by the Legislative Assembly to be printed, 23 February, 1876.

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

The humble Petition of the undersigned inhabitants of Singleton,—

RESPECTFULLY SHOWETH:—

1st. That your Petitioners are liable to suffer injury and maltreatment during illness as they are unable to distinguish educated and qualified medical men from those who assume their titles and designations.

2nd. That the encouragement of high-class medical education will tend to the prevention as well as cure of disease, and thus promote the well-being of the community.

3rd. That your Petitioners desire to be placed on the same relative position with regard to the medical profession as are Her Majesty's subjects in the Home country and most of her dependencies.

Your Petitioners therefore pray that your Honorable House will pass an Act that will assimilate the laws with regard to the medical profession of New South Wales to those now in force in the United Kingdom.

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

[Here follow 78 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

THE MEDICAL PROFESSION.

(PETITION IN FAVOR OF A MEDICAL BILL—INHABITANTS OF WINDSOR AND RICHMOND.)

Ordered by the Legislative Assembly to be printed, 23 February, 1876.

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

The humble Petition of the undersigned inhabitants of Windsor and Richmond, and others,—

RESPECTFULLY SHOWETH:—

That your Petitioners are liable to suffer injury and maltreatment during illness as they are unable to distinguish educated and qualified medical men from those who assume their titles and designations.

That the encouragement of high-class medical education will tend to the prevention as well as cure of disease, and thus promote the well-being of the community.

That your Petitioners desire to be placed on the same relative position with regard to the medical profession as are Her Majesty's subjects in the Home country and most of her dependencies.

Your Petitioners therefore pray that your Honorable House will pass an Act that will assimilate the laws with regard to the medical profession in New South Wales to those now in force in the United Kingdom.

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

[Here follow 108 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

THE MEDICAL PROFESSION.

(PETITION IN FAVOR OF A MEDICAL BILL—INHABITANTS OF INVERELL.)

Ordered by the Legislative Assembly to be printed, 23 February, 1876.

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

The humble Petition of the undersigned Inhabitants of Inverell and others,—

RESPECTFULLY SHOWETH:—

That your Petitioners are liable to suffer injury and maltreatment during illness as they are unable to distinguish educated and qualified medical men from those who assume their titles and designations.

That the encouragement of high-class medical education will tend to the prevention as well as cure of disease, and thus promote the well-being of the community.

That your Petitioners desire to be placed on the same relative position with regard to the medical profession as are Her Majesty's subjects in the Home country and most of her dependencies.

Your Petitioners therefore pray that your Honorable House will pass an Act that will assimilate the laws with regard to the medical profession in New South Wales to those now in force in the United Kingdom.

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

[Here follow 23 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

THE MEDICAL PROFESSION.
(PETITION IN FAVOR OF A MEDICAL BILL—INHABITANTS OF RANDWICK.)

Ordered by the Legislative Assembly to be printed, 23 February, 1876.

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

The humble Petition of the undersigned inhabitants of Randwick and others,—

RESPECTFULLY SHOWETH:—

1st. That your Petitioners are liable to suffer injury and maltreatment during illness as they are unable to distinguish educated and qualified medical men from those who assume their titles and designations.

2nd. That the encouragement of high-class medical education will tend to the prevention as well as cure of disease, and thus promote the well-being of the community.

3rd. That your Petitioners desire to be placed on the same relative position with regard to the medical profession as are Her Majesty's subjects in the Home country and most of her dependencies.

Your Petitioners therefore pray that your Honorable House will pass an Act that will assimilate the laws with regard to the medical profession in New South Wales to those now in force in the United Kingdom.

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

[Here follow 56 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

THE MEDICAL PROFESSION.

(PETITION IN FAVOR OF A MEDICAL BILL—INHABITANTS OF SYDNEY AND SUBURBS.)

Ordered by the Legislative Assembly to be printed, 23 February, 1876.

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

Honorable Gentlemen,—the Petition of the undersigned inhabitants and residents of Sydney and its Suburbs,—

HUMBLY SHOWETH:—

That your Petitioners have hitherto been deprived of legal protection from injury and maltreatment in sickness, in consequence of there not being any Statute to restrain the fraud and imposture which is now extensively carried on throughout New South Wales by a class of persons professing to be duly qualified practitioners in the art and science of medicine and surgery, but who are in reality impostors, possessing no recognized qualifications whatever.

That, in consequence of there being at present no such Act of Parliament in this Colony, we, your Petitioners, would respectfully pray that a Medical Bill be brought before Parliament which would assimilate the laws with regard to the medical profession to those now in force in the United Kingdom.

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

[Here follow 1,360 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

NAVIGATION OF THE CLARENCE RIVER.

(PETITION—RESIDENTS OF ULMARRA.)

Ordered by the Legislative Assembly to be printed, 3 May, 1876.

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

The undersigned farmers, shippers, and other residents of the Parish of Ulmarra, Clarence River District,—
HUMBLY SHOWETH:—

That your Petitioners suffer great loss and inconveniences in consequence of the almost impassable state of the crossing near the Heads, inside the bar; that the farmers and other shippers cannot get their grain and other produce to market, owing to the sand-bank of the said crossing rapidly silting up.

That your Petitioners humbly pray that some immediate action be taken to afford relief for the danger, in consequence of the obstruction becoming daily of a more serious nature; and your Petitioners, as in duty bound, will ever pray.

[Here follow 243 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

NAVIGATION OF THE CLARENCE RIVER.

(PETITION OF RESIDENTS.)

Ordered by the Legislative Assembly to be printed, 28 April, 1876.

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

The Petition of the undersigned farmers, shippers, merchants, and other residents of the Clarence River District,—

HUMBLY SHOWETH :—

That your Petitioners are suffering great loss, inconvenience, and annoyance by reason of the almost impassable state of the " Crossing," or Sand Bank just within the entrance of the Clarence River Heads.

That your Petitioners have repeatedly sought relief at the hands of the Government, but so far without effect; and that the dangers and inconveniences arising out of these obstructions are becoming daily of a more serious character.

That your Petitioners claim the protection of their interests, and humbly pray that your Honorable House would take the facts into immediate consideration, with a view to such remedy as your Honorable House may in its wisdom devise.

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

21st April, 1876.

[Here follow 1,035 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

GOVERNMENT STEAMBOATS AND DREDGES.

(ENGINEERS EMPLOYED IN.)

Ordered by the Legislative Assembly to be printed, 2 June, 1876.

Name.	Salary per month.	Name of Dredge.
Chief Engineers of Dredges—8—		
Alexander B. Portus	£ s. d. 25 0 0	Dredge "Newcastle."
John Laing	25 0 0	" "Samson."
James Rorison	25 0 0	" "Fitz Roy."
David S. Kirkwood	25 0 0	" "Hunter."
Alexander Halkett	25 0 0	" "Hercules."
Joseph Mather	22 18 4	" "Vulcan."
Adam Howitt	22 18 4	" "Pluto."
Henry Orr	22 18 4	" "Titan."
Second Engineer of Dredge—1—		
John Robertson	20 0 0	" "Newcastle."
Engine Drivers of Dredges—12—		
Andrew Johnston	10 0 0	" "Titan."
Arthur Tillett	12 0 0	" "Newcastle."
Lewis Stearn	10 0 0	" "Fitz Roy."
N. Newman	10 0 0	" "Hunter."
Charles Skae	10 0 0	" "Hunter" (Night).
David Caldwell	10 13 4	" "Pluto."
Robert Farrell	12 0 0	" "Samson."
Edward Williams	14 0 0	" "Samson."
Thomas Murray	12 0 0	" "Hercules."
James Toomey	10 0 0	" "Vulcan."
John Rooney	10 0 0	" "Vulcan."
James Glass	12 0 0	" "Newcastle" (Night).
Engineers of Tugs—8—		
Thomas Dykes	12 0 0	Name of Tug. Tug "Scylla."
John Carruthers	20 0 0	" "Ajax."
William Richardson	15 0 0	" "Hector."
Benjamin Hagan	14 0 0	" "Cyclops."
C. M'Lachlan	12 0 0	" "Pearl."
John Sproule	20 0 0	" "Achilles."
William Bennett	15 0 0	" "Little Nell."
Thomas Watson	12 0 0	" "Leila."
Second Engineers of Tugs—3—		
J. Ryan	16 0 0	" "Ajax."
Saml. R. M'Arthur	14 0 0	" "Cyclops."
John Gray	12 0 0	" "Little Nell."

1875-6.

NEW SOUTH WALES.

AMENDED ORDER OF HER MAJESTY IN COUNCIL,

RELATING TO CERTIFICATES OF COMPETENCY TO MASTERS, MATES, &c.

Presented to Parliament by Command.

The Treasury, New South Wales,
8th June, 1876.

His Excellency the Governor has been pleased to direct the publication of the following Despatch from the Right Hon. the Secretary of State for the Colonies—and the accompanying Amended Order of Her Majesty in Council, relating to Certificates of Competency to be granted to Masters, Mates, &c., of vessels, by the Government of New South Wales, under the provisions of the "Merchant Shipping (Colonial) Act of 1869."

ALEX. STUART.

(New South Wales, No. 16.)

Downing-street,
29th February, 1876.

Sir,

With reference to my Despatch, No. 10, of the 31st ultimo, I have the honor to transmit to you the accompanying copy of a letter from the Board of Trade, with copies of an amended Order of Her Majesty in Council, of the 12th instant, relating to Certificates of Competency to be granted to Masters, Mates, &c., of vessels, by the Government of New South Wales, under the provisions of the "Merchant Shipping (Colonial) Act of 1869."

You will observe that the former orders are revoked.

I have, &c.,
CARNARVON.

Governor

Sir H. G. R. Robinson, G.C.M.G.,
&c., &c., &c.

The Board of Trade to the Colonial Office.

Board of Trade, Whitehall Gardens,
24th February, 1876.

Sir,

With reference to their letter of the 19th ultimo, I am directed by the Board of Trade to transmit, for the information of the Earl of Carnarvon, the accompanying Orders of Council which have been issued by Her Majesty, for the Colonies of Victoria, New Zealand, New South Wales, and South Australia, substituting a cumulative domicile of three years in any of the Australasian Colonies for a domicile of three years in the particular Colony in which the certificate is issued, as required by the Orders in Council of the 30th March, 1871, 9th August, 1872, 30th August, 1873, and 12th May, 1874, respectively.

In transmitting the amended orders, I am to point out that the former orders are revoked.

I am also to enclose copies of an Order in Council extending the provisions of section 8 of the "Merchant Shipping (Colonial) Act, 1869," to the British possession of Tasmania.

Both the amended Orders and the Order relating to Tasmania will come into force on the 1st April, and I am to suggest for Lord Carnarvon's consideration that the Governments of the Australian possessions referred to may be informed of the issue of the orders and supplied with copies thereof.

The Board of Trade trusts that the Tasmanian Government will furnish them with copies of certificates of competency and examination papers which they propose to use, at the earliest possible date.

I have, &c.,
J. J. SWANSTON.

The Under Secretary of State,
Colonial Office.

At the Court at Windsor, the 12th day of February, 1876.

PRESENT :

The Queen's Most Excellent Majesty in Council.

WHEREAS by "The Merchant Shipping (Colonial) Act, 1869," it is (among other things) enacted, that where the Legislature of any British possession provides for the examination of, and grant of Certificates of Competency to, persons intending to act as masters, mates, or engineers on board British ships, and the Board of Trade reports to Her Majesty that they are satisfied that the examinations are so conducted as to be equally efficient as the examinations for the same purpose in the United Kingdom under the Acts relating to Merchant Shipping, and that the Certificates are granted on such principles as to show the like qualifications and competency as those granted under the said Acts, and are liable to be forfeited for the like reasons and in the like manner, it shall be lawful for Her Majesty by Order in Council—

1. To declare that the said certificates shall be of the same force as if they had been granted under the said Acts.

2. To declare that all or any of the provisions of the said Acts which relate to Certificates of Competency granted under those Acts shall apply to the certificates referred to in the said Order.

3. To impose such conditions and to make such regulations with respect to the said certificates, and to the use, issue, delivery, cancellation, and suspension thereof, as to Her Majesty may seem fit, and to impose penalties not exceeding fifty pounds for the breach of such conditions and regulations :

And that upon the publication in the "London Gazette" of any such Order in Council as last aforesaid, the provisions therein contained shall from a date to be mentioned for the purpose in such Order, take effect as if they had been contained in the Act; and that it shall be lawful for Her Majesty in Council to revoke any order made as aforesaid :

And whereas the Legislature of the British possession of New South Wales have provided for the examination of, and grant of Certificates of Competency for, foreign-going ships to persons intending to act as masters, first mates, or second mates, or as first class engineers, or second class engineers, on board British ships, which certificates are hereinafter denominated Colonial Certificates of Competency, and the Board of Trade have reported to Her Majesty that they are satisfied that the said examinations are so conducted as to be equally efficient as the examinations for the same purpose in the United Kingdom, under the Acts relating to Merchant Shipping, and that the certificates are granted on such principles as to show the like qualifications and competency as those granted under the said Acts, and are liable to be forfeited for the like reasons and in the like manner :

And whereas Her Majesty, by Order in Council dated the thirtieth day of August, one thousand eight hundred and seventy-three, has been pleased to declare that (subject to certain conditions and regulations therein contained) the said Colonial Certificates of Competency granted by the Marine Board of the said possession of New South Wales shall be of the same force as if they had been granted under the said Acts relating to Merchant Shipping :

And whereas by the condition or regulation numbered five contained in each of the said recited Orders in Council it is provided that such Colonial Certificates of Competency shall be granted only to persons who have been domiciled in the possession of New South Wales, or who have served in ships registered therein, for a period of, or for periods amounting to, at least, three years immediately preceding their application for such Colonial Certificates, and that Certificates of Competency granted contrary to this regulation shall be regarded as improperly granted :

And whereas it has been represented to Her Majesty in Council, that the provisions of the said fifth condition or regulation in the said recited Order in Council of the thirtieth day of August, one thousand eight hundred and seventy-three, should be modified and amended so as to admit of domicile in or service in ships registered in any of the following Australasian Colonies, viz., the Colonies on the continent of Australia, and New Zealand and Tasmania, forming part of the three years domicile required under the said condition or regulation :

And whereas it has been made to appear to Her Majesty that such modification and amendment are expedient, and that the said recited Order in Council should be revoked, and a new Order in Council, modified and amended in manner aforesaid, substituted in lieu thereof.

Now, therefore, Her Majesty, by and with the advice and consent of Her Privy Council, doth hereby direct, that from and after the 1st day of April, 1876, the said recited Order in Council of the 30th day of August, 1873, shall be, and the same is hereby revoked, provided however that the revocation of the said Order in Council shall not affect or invalidate any Colonial Certificates of Competency granted thereunder prior to the said 1st day of April, 1876, and subsisting at that date.

And Her Majesty is further pleased—

1. To declare that the said Colonial Certificates of Competency granted by the Marine Board of the said possession of New South Wales shall be of the same force as if they had been granted under the said Acts.

2. To declare that all the provisions of the said Acts which relate to Certificates of Competency for the Foreign Trade, granted under those Acts, except so much of the 139th section of "The Merchant Shipping Act, 1854," and the 10th section of "The Merchant Shipping Act Amendment Act, 1862," as requires the delivery by the Board of Trade to any master, mate, or engineer of a copy of any certificate to which he appears to be entitled as therein mentioned so much of the third paragraph of the 23rd section of the said last-mentioned Act as requires at the conclusion of a case relating to the cancelling or suspending of a certificate, such certificate, if cancelled or suspended, to be forwarded to the Board of Trade, and the whole of the provisions of the fourth paragraph of the same section shall apply to such Colonial Certificates of Competency.

3. To impose and make the conditions and regulations following, numbered 1 to 10 respectively, with respect to the said Colonial Certificates of Competency, and to the use, issue, delivery, cancellation, and suspension thereof, and to impose for the breach of such conditions and regulations the penalties therein mentioned.

Form of Certificate.

1. Every such Colonial Certificate of Competency shall be on parchment, and as nearly as possible similar in shape and form to the corresponding Certificate of Competency for the Foreign Trade granted by the Board of Trade under the Acts relating to Merchant Shipping.

Name of Possession to be inserted.

2. Every such Colonial Certificate of Competency shall have the name of the said possession of New South Wales inserted prominently on its face and back.

Certificates to be numbered consecutively.

3. Such Colonial Certificates of Competency shall be numbered in consecutive order.

Lists of Certificates granted, cancelled, &c., to be sent to Registrar General of Seamen.

4. The Government of the said possession shall furnish the Registrar General of Seamen in London from time to time with accurate lists of all such Colonial Certificates of Competency as may be granted by the Marine Board of the said possession as aforesaid, or as may for any cause whatsoever be cancelled, suspended, renewed, or re-issued.

Three Years Domicile or Service necessary.

5. Such Colonial Certificates of Competency shall be granted only to any person who for a period of three years immediately preceding his application for such Colonial Certificate, or for several periods amounting together to three years, the earliest of which shall have commenced within five years prior to such application, has been domiciled in or has served in a ship or ships registered in one or more of the following Australasian Colonies, viz., the Colonies on the continent of Australia, and New Zealand and Tasmania.

Certificates of Competency granted contrary to this regulation shall be regarded as improperly granted.

Certificates not to be granted when former are cancelled.

6. Such Colonial Certificates of Competency shall not be granted to any person who may have had a certificate, whether granted by the Board of Trade or by the Government of a British possession, cancelled or suspended under the provisions of the said Acts, or of any Act for the time being in force in any part of Her Majesty's dominions, unless the period of suspension has expired, or unless intimation has been received from the Board of Trade, or the Government by whom the cancelled or suspended certificate was originally granted, to the effect that no objection to the grant of such Colonial Certificate is known to exist, or unless a new certificate has been granted to him by such Board or Government, and in the last-named event no such Colonial Certificate of Competency shall be for a higher grade than the certificate so last granted as aforesaid.

Colonial Certificates of Competency granted contrary to this regulation shall be regarded as improperly granted.

Certificates improperly granted may be cancelled without formal investigation.

7. Any such Colonial Certificate of Competency which appears, from information subsequently acquired or otherwise, to have been improperly granted, whether in the above or in any other respect, may be cancelled by the Governor for the time being or the Marine Board of the said possession, or by the Board of Trade in the United Kingdom, without any formal investigation under "The Merchant Shipping Act, 1854," and the holder of such certificate shall thereupon deliver it to the Board of Trade, or the Governor for the time being, or the Marine Board of the said possession, or as they or either of them may direct; and in default thereof shall incur a penalty not exceeding fifty pounds, which shall be recoverable in the same manner as penalties imposed by the Acts relating to Merchant Shipping are thereby made recoverable.

Cancellation, &c., of a Certificate shall involve cancellation of all the other Certificates possessed by its Owner.

8. Every decision with respect to the cancellation or suspension of a certificate pronounced by any Board, Court, or Tribunal under the provisions of the said Acts, shall extend equally to all the Colonial Certificates at the time possessed by the person in respect of whom the decision is made as well as to all certificates granted to him under any of the Acts relating to Merchant Shipping, and whether such certificates be specified in such decision or not.

Certificates believed to be fraudulent may be demanded.

9. Any officer of the Board of Trade, or the Registrar General of Seamen, or any of his officers, or a Superintendent of a Mercantile Marine Office, or a Consular Officer or duly appointed Shipping Officer in a British possession, may demand the delivery to him of any such Colonial Certificate of Competency which he has reason to believe has been improperly issued, or is forged, altered, cancelled or suspended, or to which the person using it is not justly entitled, and may detain such certificate for a reasonable period, for the purpose of making inquiries respecting such issue, forgery, alteration, cancellation, suspension, or possession, and any person who without reasonable cause neglects or refuses to comply with such demand shall incur a penalty not exceeding twenty pounds, which shall be recoverable in the same manner as penalties imposed by the Acts relating to Merchant Shipping are thereby made recoverable.

Suspended Certificates to be re-issued only by Colony by which originally granted.

10. Any such Colonial Certificate of Competency which has from any cause been cancelled or suspended, whether by a tribunal in New South Wales or elsewhere, shall be renewed or re-issued only by the Marine Board of New South Wales.

This Order shall take effect in the said possession of New South Wales from and after the first day of April, 1876, and shall apply not only to Colonial Certificates of Competency granted under this Order, but to such as shall have been granted under the Order hereby revoked and be subsisting at the above date.

C. L. PEEL.

1875.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

HARBOURS AND RIVERS DEPARTMENT.

(EXPENDITURE OF LOAN FUNDS FROM 1 JANUARY, 1859, TO 31 DECEMBER, 1874.)

Ordered by the Legislative Assembly to be printed, 16 December, 1875.

RETURN to an Order made by the Honorable the Legislative Assembly of New South Wales, dated 20 April, 1875, That there be laid upon the Table of this House, a Return showing,—

- “(1.) The expenditure from Loan Funds under the Department of Harbours and Rivers from 1st January, 1859, to 31st December, 1874, specifying each work, and the amount in each case.
- “(2.) The balances of Loan Funds remaining unexpended to the credit of the respective works under the Department of Harbours and Rivers on 1st January, 1875.
- “(3.) The amount raised by Loan for the construction of Works of Defence in Sydney Harbour, including purchase of Land and supply of Guns.
- “(4.) The amount expended under each head.”

(Mr. Bawden.)

Description of Work.	Act under which voted.	Amount voted.	Expenditure.	Expended prior to 1859.	Written off by Auditor General, 18 Sept., 1873.	Balance unexpended on the 1st January, 1875.
		£	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Breakwater, Clarence River	26 Vic. No. 14...	30,000	8,976 8 5	.....	.....	21,023 11 7
Reclaiming Land, Woolloomooloo Bay {	27 " 14...	5,000	5,000 0 0	.....	.....	.....
29 " 9...	29 " 9...	3,900	3,899 16 10	.....	0 3 2	.....
Purchase of Blackwattle Bridge	36 " 2...	10,000	10,000 0 0	.....	.....	.....
Reclaiming Land, Blackwattle Bay, {	27 " 14...	10,000	10,000 0 0	.....	.....	.....
Darling Harbour	32 " 13...	10,000	9,999 9 0	.....	.....	0 11 0
38 " 2...	38 " 2...	16,200	7,788 1 2	.....	.....	8,411 18 10
Wharf, Darling Harbour	36 " 21...	15,000	11,935 17 3	.....	.....	3,064 2 9
Steam Cranes, Darling Harbour	32 " 13...	35,000	35,000 0 0	.....	.....	.....
Coal Staiths, Wollongong	27 " 14...	3,000	3,000 0 0	.....	.....	.....
29 " 23...	29 " 23...	10,000	10,000 0 0	.....	.....	.....
Coal Staiths, Newcastle	31 " 27...	6,600	6,600 0 0	.....	.....	.....
34 " 2...	34 " 2...	3,000	2,999 8 11	.....	.....	0 11 1
35 " 5...	35 " 5...	265	264 1 7	.....	.....	0 18 5
Land for Coal Staiths, Newcastle	36 " 2...	4,397	4,194 17 5	.....	.....	202 2 7
Steam Dredge and Punts for Sydney ..	29 " 23...	24,000	24,000 0 0	.....	.....	.....
31 " 27...	31 " 27...	4,500	4,499 16 3	.....	0 3 9	.....
Steam Dredge and Punts for the Mac-	32 " 13...	10,000	10,000 0 0	.....	.....	.....
leay and Clarence Rivers	35 " 5...	1,291	1,290 3 0	.....	.....	0 17 0
36 " 2...	36 " 2...	18,000	151 11 8	.....	.....	17,848 8 4
Steam Dredge for Coast Lakes and Lagoons	34 " 2...	2,500	2,500 0 0	.....	.....	.....
Improvements in navigation of the	34 " 2...	2,000	2,000 0 0	.....	.....	.....
Edward River.....	36 " 21...	1,000	.....	.....	.....	1,000 0 0
36 " 2...	36 " 2...	2,000	167 4 5	.....	.....	1,832 15 7
Harbour of Refuge at Trial Bay	38 " 2...	10,000	464 10 1	.....	.....	9,535 9 11
Completion of Dock, Cockatoo Island ...	38 " 2...	15,000	631 16 6	.....	.....	14,368 3 6
Light-house, Wollongong	32 " 13...	3,000	2,996 6 6	.....	.....	3 13 6
35 " 5...	35 " 5...	300	255 8 6	.....	.....	44 11 6
Light-house, Ulladulla	32 " 13...	3,000	3,000 0 0	.....	.....	.....
35 " 5...	35 " 5...	500	499 19 2	.....	.....	0 0 10
Bridge and Approaches, West Maitland {	29 " 9...	4,000	4,000 0 0	.....	.....	.....
31 " 27...	31 " 27...	1,000	1,000 0 0	.....	.....	.....
Pitnacree Bridge	29 " 9...	9,000	9,000 0 0	.....	.....	.....
30 " 23...	30 " 23...	900	897 16 2	.....	2 3 10	.....
Small Dredge and Punts.....	36 " 21...	5,000	.....	.....	.....	5,000 0 0
Totals .....	.....	949,656	657,499 11 0	31,202 8 1	624 9 11	260,329 11 0

The Treasury, New South Wales,
10th November, 1875.

F. KIRKPATRICK,
Accountant.

Nos. 3 and 4.

RETURN showing the Amount raised by Loan for the construction of Works of Defence in Sydney Harbour, including purchase of Land and supply of Guns; together with the amount expended under each head.

Amount raised by Loan for construction of Works of Defence.	Expenditure.			
	Construction of Works of Defence.	Purchase of Land.	Supply of Guns.	Total.
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
184,390 6 2	141,193 1 9	2,941 10 0	40,243 12 4	184,378 4 1

The Treasury, New South Wales,
8 December, 1875.

F. KIRKPATRICK,
Accountant.

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

WHARFS AT CIRCULAR QUAY.

(CORRESPONDENCE, AND TENDER FOR CONSTRUCTION OF)

Ordered by the Legislative Assembly to be printed, 16 February, 1876.

RETURN to an *Order* made by the Honorable the Legislative Assembly of New South Wales, dated the 18th January, 1876, That there be laid upon the Table of this House,—

“A copy of the Tender sent in to the Secretary for Public Works by Mr. Charles Fowler for the first design for Wharfs at the Circular Quay, as prepared by the Engineer-in-Chief for Harbours and Rivers; and also, a copy of all subsequent Correspondence between that gentleman and the Public Works Department.”

(Mr. Macintosh.)

SCHEDULE.

NO.	PAGE.
1. Letter from Charles Fowler to the Under Secretary for Works. Tender to construct new Iron Wharf at Circular Quay, Sydney. Dated 13 February, 1873	2
2. Letter from Charles Fowler to the Honorable the Minister for Public Works, stating that he is prepared to carry out the above work. Dated 6 May, 1875	2
3. Letter from the Under Secretary for Works to Mr. Charles Fowler, acknowledging the receipt of letter of 6th May. Dated 12 May, 1875	2
4. Letter from Charles Fowler to the Honorable the Secretary for Works, stating that he and his sureties are prepared to execute bond and contract. Dated 9 September, 1875	2
5. Letter from the Under Secretary for Works to Mr. Charles Fowler, stating that no tender has as yet been accepted for work in question. Dated 20 September, 1875	3
6. Letter from Mr. Charles Fowler to the Honorable the Minister for Works, submitting proposition for construction of Wharf and Goods Sheds, according to altered design of Engineer-in-Chief. Dated 26 November, 1875	3
7. Letter from the Under Secretary for Works to Mr. Charles Fowler: proposition cannot be entertained, as it is proposed to invite fresh tenders. Dated 9 December, 1875	3

WHARFS AT CIRCULAR QUAY.

No. 1.

MR. C. FOWLER TO THE UNDER SECRETARY FOR PUBLIC WORKS.

Great Britain Hotel,
King and George Streets,
Sydney, 13 February, 1873.

SIR,

I hereby offer to erect the proposed Wharf at Sydney Cove, finding all cast and wrought iron, according to the plans and specification prepared by the Engineer for Harbours and Rivers, for the sum of eighty-nine thousand eight hundred and ninety-eight pounds.

£89,898.

I have, &c.,
CHAS. FOWLER.

I propose Mr. Thomas Smithyman and Mr. Daniel Williams, of Sydney, contractors, as my sureties for the due performance of the work.—CHAS. FOWLER.

No. 2.

MR. C. FOWLER TO THE SECRETARY FOR PUBLIC WORKS.

Great Britain Hotel,
George and King Streets,
Sydney, 6 May, 1875.

SIR,

Tenders were advertised for an Iron Wharf for the Circular Quay, at the beginning of last year, the plan and specification being prepared by the Engineer-in-Chief for Harbours and Rivers.

I sent in a tender backed up by Mr. Daniel Williams (a contractor of large capital) as surety for the due performance of the contract; this tender was considered the most eligible, but the bond and contract were not signed.

Your predecessor, Mr. Sutherland, being then the Minister for Public Works, adopted the unusual course of calling for tenders for plans prepared by the late Lieut. Gowlland, who proposed to use timber. This design was enormously costly, and some of the piles, according to the boring, would have to be 120 ft. long; the timber required could not be procured within a reasonable time, and it would only have been a temporary structure, and not well adapted for the purpose intended.

Another plan and specification was also prepared by a Mr. Norman Selfe, and tenders were called for with the names of Mr. John Sutherland, Minister for Works, attached to the advertisement. The plans to be seen at the Exchange. The piles had no foothold, and had neither wales, braces, nor struts.

The specification stated that the stone walls were to be packed up with spowls on the shelving rock, &c. This design if carried out could not possibly stand, and it was altogether the most lame and impotent attempt at engineering I ever saw.

The tender I sent in for the iron wharf, although a very low one, I feel morally bound to carry out, and am prepared to do so with all possible despatch; any alterations, additions or deductions to be arranged by schedule.

I have, &c.,
CHARLES FOWLER.

No. 3.

THE UNDER SECRETARY FOR PUBLIC WORKS TO MR. C. FOWLER.

12 May, 1875.

SIR,

I am directed by the Secretary for Public Works to acknowledge the receipt of your letter of the 6th instant, respecting the proposed wharfage accommodation at the Circular Quay.

I have, &c.,
JOHN RAE.

No. 4.

MR. C. FOWLER TO THE SECRETARY FOR PUBLIC WORKS.

Great Britain Hotel,
9 September, 1875.

SIR,

I have the honor to inform you that myself and sureties are prepared to sign the bond and contract for the proposed Wharf, &c., for the Circular Quay, the design for which was prepared by the Engineer-in-Chief for Harbours and Rivers.

It is now more than eighteen months since my tender was accepted; surely it is high time the matter was settled.

Instead of the Circular Quay remaining as it now is, if the proposed wharf, &c., had then been proceeded with it would be nearly finished.

In reference to any changes or modifications the Engineer-in-Chief for Harbours and Rivers may propose to make, I shall be most happy to meet his views.

I have, &c.,
CHAS. FOWLER.

No. 5.

3

No. 5.

THE UNDER SECRETARY FOR PUBLIC WORKS TO MR. C. FOWLER.

Department of Public Works,
20 September, 1875.

SIR,

In reply to your letter of the 9th instant, I am directed to inform you that no tender has as yet been accepted for the construction of the proposed Wharf at the Circular Quay.

I have, &c.,
JOHN RAE.

No. 6.

MR. C. FOWLER TO THE SECRETARY FOR PUBLIC WORKS.

Great Britain Hotel,
George and King Streets,
Sydney, 26 November, 1875.

SIR,

I have the honor of submitting to you the following proposition for the erection of Wharf and Goods Sheds at the Circular Quay, according to the altered design or previous design prepared by the Engineer-in-Chief for Harbours and Rivers, viz. :—To proceed within one month to cast the cylinders of colonial manufactured iron, and be prepared to commence erecting the cylinders on the 1st day of February, 1876, at the rate of 60 tons per week, according to plan and specification, and to the satisfaction of the Engineer-in-Chief for Harbours and Rivers.

I offer to deposit £5,000 cash as security for the due performance of the contract.

With respect to my tender for the first design, prepared by Mr. E. O. Moriarty, I decline to alter, as I still say that it was virtually accepted, and on these grounds I shall decline to send in a tender for any other design.

I am perhaps justified in remarking that, besides saving time, the acceptance of this tender will do more to encourage and stimulate the manufacture of colonial iron than any sum of money or bonus offered by the Government for that purpose. All additions or deductions to be arranged as per schedule.

I have, &c.,
CHAS. FOWLER.

No. 7.

THE UNDER SECRETARY FOR PUBLIC WORKS TO MR. C. FOWLER.

Department of Public Works,
Sydney, 9 December, 1875.

SIR,

Referring to your letter of the 26th ultimo, on the subject of extended wharfage accommodation required at the Circular Quay, Sydney, I am directed to inform you that, as it is the intention of the Government to again invite tenders for the work, both in the Colonies and in England, your propositions to execute the work on the terms proposed cannot be complied with.

With regard to your statement that your former tender was virtually accepted, I am to state that there is nothing whatever, so far as can be ascertained in this department, to justify it.

I have, &c.,
JOHN RAE.

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

WHARFAGE ACCOMMODATION AT CIRCULAR QUAY.
(CORRESPONDENCE BETWEEN MR. NORMAN SELFE AND THE LATE SECRETARY FOR PUBLIC WORKS.)

Ordered by the Legislative Assembly to be printed, 25 May, 1876.

RETURN of Correspondence between the late Secretary for Public Works and Mr. Norman Selfe respecting increased Wharfage Accommodation at the Circular Quay, Sydney Cove.

(*Mr. Lackey.*)

SCHEDULE.

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WHARFAGE ACCOMMODATION AT CIRCULAR QUAY.

No. 1.

N. SELFE, Esq., to THE MINISTER FOR PUBLIC WORKS.

Rockleigh, Balmain,
4 September, 1873.

SIR,

My attention has been recently called to the various plans suggested or proposed for improving the Circular Quay and attached to the Report of the Committee of the Assembly, appointed to inquire into the same, and as I have devised a plan* that I conceive possesses several advantages over any of those hitherto brought forward, I beg respectfully to submit it for your consideration.

*Plan appended.

My plan provides nine berths on the east side of the Quay, including one long wharf that would be convenient for the mail-boat to come alongside on her arrival, and available for harbour steamers on holidays, &c., each berth to have an open shed, about 100 feet by 50 feet, one end of which could be enclosed for temporary bond, if thought desirable.

From a calculation I have made I believe the approximate cost of the wharf built of timber, and the sheds of iron, will be about £7,500 per berth. Nine hydraulic cranes, which are the most suitable, with one engine-house accumulator, &c., are not included in the above estimate.

I annex a description of the plan, with particulars of what are its supposed advantages, and I shall be happy to furnish you with further information in detail, to lay before your colleagues, or the Members of the Committee, should you desire me to do so.

I have, &c.,
NORMAN SELFE.

CIRCULAR QUAY IMPROVEMENTS.

Description of plan.

THIS plan provides a separate jetty or wharf for each vessel about 30 feet wide, the jetties being built diagonally to the line of the Quay, so that the discharged cargo is moved across the wharf instead of lengthways; a shed is also provided 100 feet by 50 feet, under which goods can be stored and drays, &c., load in bad weather. This shed is in the most convenient position, and clear of the tackling of the vessel; drays, &c., can also draw alongside the vessel to load directly from the slings by coming on to the wharf between the sheds and endways of jetty.

The long wharf would be very convenient for the mail-boat to come alongside immediately on her arrival, and would be suitable for the harbour steamers, or a ship could be berthed there to discharge or load if the authorities found the arrangement better.

If it is required to supply power for discharging, &c., this plan is to have a 25-horse-power engine with pumps and accumulators, and lead the pipes to the cranes or hoists at the ship's side, so that the fire, &c., is entirely away.

Supposed advantages of plan.

1st. Each ship has a berth to itself, and can make fast or let go warps or cables without interfering with adjoining vessels.

2nd. All the vessels lie with their heads turned in the most convenient way for getting out, and can be quickly and readily drawn away in case of fire, &c.

3rd. The shed is at the most convenient distance from the vessel's side, and the roof clear of the ship's tackles so that goods can be dropped from the yard-arm purchases either on to drays, to tramway running on jetty, or stowed under shed until wanted.

4th. Colliers or lighters can be on outer side of vessels with plenty of room.

5th. The jetties being built diagonally do not extend out so far as to require such extra long piles, and their being connected together broadside on are immensely strong.

6th. Each wharf can be built separately and completed without displacing more than one ship at a time from the present berths.

Approximate estimate for nine berths on plan.

1,094 piles, averaging 50 feet...	54,700 feet.				
17,100 feet run of headstocks, 14 x 7...	11,630 cubic feet.				
3,150 " kerbing, 14 x 4	4,315 "				
1,800 " wall plates "	2,450 "				
Total ...	73,095				
1,100 cwt. iron bolts, &c.		@ 3/6	12,791 12 6	@ 5/-	18,273 3 0
855 squares of 6 planking at £7 10/- and £9		@ 42/-	2,310 0 0	@ 56/-	3,080 0 0
Tarring (coal tar) 855 squares			6,412 10 0		7,695 0 0
1,094 shoes to piles			855 0 0		855 0 0
1,094 coverings, 7 lbs. lead or cast iron		@ 20/-	1,094 0 0		1,094 0 0
9 open sheds, 100 ft. x 50, @ £1,300 and £1,400			1,000 0 0		1,000 0 0
			11,700 0 0		12,600 0 0
			<u>£ 36,163 2 6</u>		<u>£ 44,597 3 0</u>

9 hydraulic winches to hoist from two hatchways at one time, engine-house machinery, accumulator, &c.					7,000 0 0
1,094 piles, coppered for 40 feet, each, @ 2/3					19,692 0 0
1,800 lineal feet of making good the Quay, and metalling, @ 20/-					1,800 0 0
Total cost on low estimate, without copper					44,963 0 0
Do. high " and piles coppered with muntz metal, 22 ozs.					73,089 0 0
Adding 10% for contingencies, £49,459 and £80,397 respectively.					

Accept with thanks, and request the details referred to in this communication.—J.S., 4/9/73.

3

No. 2.

THE UNDER SECRETARY FOR PUBLIC WORKS to N. SELFE, Esq.

Department of Public Works,
Sydney, 25 September, 1873.

SIR,

I am directed by the Secretary for Public Works to acknowledge with thanks the receipt on the 4th instant of your letter of that date, forwarding plan and particulars of description of a scheme for additional wharfage accommodation at the Circular Quay, and I am to accept your courteous offer to supply further information in detail respecting this important matter, which I request you will send to me at your early convenience.

I must express my regret that owing to an inadvertency your obliging communication has been allowed to remain until now without reply.

I have, &c.,
JOHN RAE.

No. 3.

N. SELFE, Esq., to THE MINISTER FOR PUBLIC WORKS.

Rockleigh, Balmain,
30 September, 1873.

SIR,

I have to acknowledge the receipt of your communication of the 25th instant, conveying your thanks for the rough plan and accompanying particulars of improvements at the Circular Quay as proposed by me, and requesting me to furnish further information in detail respecting the matter.

In compliance with your request I have much pleasure in forwarding herewith a plan to a larger scale, and which provides nine berths for the largest class of vessels, without interfering with the accommodation at present afforded to the ferry steamers plying to the North Shore. These berths are numbered respectively 1 to 9. There is also provision shown for three more berths, Nos. 10 to 12, to be built at a future time if thought desirable, either by piling over the whole space, or reclaiming the ground to the double dotted line. I also enclose estimates.

The lower prices are the rates at which I understand private individuals can get such work done; the higher ones are taken from an estimate attached to the Report of the Parliamentary Committee on this subject.

As the superstructure will require considerable repairs before the piles are destroyed, and as the cost of coppering them invested at 4 per cent. will about rebuild the whole wharf every twenty years, the advisability of doing so is open to question.

I have, &c.,
NORMAN SELFE.

P.S.—In the calculation as to cost of coppering the piles, the interest on first cost was taken at 4 per cent., but if 5 per cent. be the rate of interest it will renew the piles in less than ten years, and nearly replace the wharf in fourteen years; the construction shown on the drawing offers great facilities for replacing piles. I have considered the advisability of covering the whole of the planking with asphalt as it would render it practically indestructible, but in the absence of exact data as to cost, &c., I have omitted it from the estimates.—N.S.

Acknowledge with thanks.—J.S., 2/10/73.

No. 4.

THE UNDER SECRETARY FOR PUBLIC WORKS to N. SELFE, Esq.

Department of Public Works,
Sydney, 6 October, 1873.

SIR,

The Secretary for Public Works directs me to acknowledge, with thanks, the receipt of your further communication forwarding plan, estimate, and outline of specification for the increased wharfage accommodation proposed to be constructed at the Circular Quay, and to inform you that your views upon this matter, contained in the enclosures to your letter, will receive Mr. Secretary Sutherland's best consideration.

I have, &c.,
JOHN RAE.

No. 5.

THE UNDER SECRETARY FOR PUBLIC WORKS to N. SELFE, Esq.

Department of Public Works,
Sydney, 5 December, 1873.

SIR,

To enable the Secretary for Public Works to invite tenders for the increased wharfage accommodation at the Circular Quay in accordance with the scheme submitted by you, I am directed to request that you will please submit detailed working drawings and specifications of your project.

I have, &c.,
JOHN RAE.

No. 6.

No. 6.

THE UNDER SECRETARY FOR PUBLIC WORKS to N. SELFE, Esq.

Department of Public Works,
Sydney, 19 December, 1873.

SIR,

In returning to you herewith the accompanying plans of a scheme proposed by you for increased accommodation at the Circular Quay, I am directed by the Secretary for Public Works to inform you that there are no officers in this department whose time can be set apart for the preparation of the plans and other necessary information required for inviting tenders for the work; but that in the event of your being in a position to furnish at the cost of the Government the required plans, &c., Mr. Secretary Sutherland will direct that tenders be called for in accordance therewith.

Mr. Sutherland directs me to convey to you his best thanks for your courtesy and trouble in this matter.

I have, &c.,
JOHN RAE.

No. 7.

N. SELFE, Esq., to THE MINISTER FOR PUBLIC WORKS.

Rockleigh, Balmain,
23 December, 1873.

SIR,

I have the honor to acknowledge the receipt of your communication of the 19th instant, returning to me the plans and specifications relating to improvements at the Circular Quay, which were prepared by me at the request of the Government, and informing me that there are no officers in the Department of Works whose time could be set apart for the preparation of such plans, &c., as would be necessary to enable the Government to call for tenders for the work, but that in the event of my being in a position to furnish at the cost of the Government the required plans, &c., the Government would invite tenders for the construction of the work.

In reply, I beg to state that I forwarded my original plan to the Government on account of its having been approved by a number of competent judges only wishing it to be considered on its merits. At the request of the Government and as a colonist I furnished a more detail plan and specification, but I have no desire to usurp the functions of a constituted Government department, the more so as my position as the chief engineer of a private firm does not afford me the required leisure to prepare such detailed and elaborate plans as are necessary or rather customary when inviting tenders for work by the Government, but I shall be happy to furnish the Government with such plans and specifications as would enable a private individual or a public company to call for tenders, and for the execution of the work, and that without any charge or expense to the Government.

I have, &c.,
NORMAN SELFE.

Acknowledge receipt and explain.—J.S., 13/1/74.

No. 8.

THE UNDER SECRETARY FOR PUBLIC WORKS to N. SELFE, Esq.

Department of Public Works,
Sydney, 8 January, 1874.

SIR,

I am directed by the Secretary for Public Works to remind you that I remain without reply to my letter to you of the 19th ultimo, on the subject of preparing plans and specifications of your proposed scheme of increased wharfage accommodation at the Circular Quay.

I am to add that Mr. Secretary Sutherland would be obliged by your communicating your intention with reference to the request contained in my letter to you upon this important subject.

I have, &c.,
JOHN RAE.

No. 9.

N. SELFE, Esq., to THE MINISTER FOR PUBLIC WORKS.

Rockleigh, Balmain,
12 January, 1874.

SIR,

I have the honor to acknowledge the receipt of your communication of the 9th inst., requesting a reply to your previous one of the 19th ult., and have to express my surprise at the same, as a reply was written by me on the 23rd ult., and personally delivered at the Works Office on the morning of the 24th. Should such reply have been mislaid I shall have much pleasure in forwarding a copy at once.

I have, &c.,
NORMAN SELFE.

No. 10.

THE UNDER SECRETARY FOR PUBLIC WORKS to N. SELFE, ESQ.

Department of Public Works,
Sydney, 15 January, 1874.

SIR,

I am directed by the Secretary for Public Works to state, in reply to your letter of the 23rd ultimo, that Mr. Secretary Sutherland will be greatly obliged by your furnishing him with the plans and specifications of your proposed scheme for the extension of wharfage at Sydney Cove, as described in your communication.

In conveying to you Mr. Sutherland's best thanks for the great trouble and interest you have taken in this matter, as well as the good feelings which have prompted you to send in plans and specifications at so much personal sacrifice, all of which are most fully appreciated, I am to assure you that every consideration shall be given to your views when your plans and specifications are submitted to the Government.

I have, &c.,

JOHN RAE.

I regret that your letter of 23rd ult., from being mislaid in the office, did not reach the Records till yesterday—thence the delay in answering it.—J.R.

No. 11.

N. SELFE, ESQ., to THE MINISTER FOR PUBLIC WORKS.

Rockleigh, Balmain,
20 January, 1874.

SIR,

I have the honor to acknowledge your letter of the 15th inst., accepting my willingness to furnish plans and specifications for the Circular Quay improvements, in response to your previous communication asking me for the same, and have much pleasure in stating that I have proceeded with the work as fast as circumstances would permit me, and hope to have the particulars ready for the Government at the end of the present week.

It also affords me pleasure to be able to add that I have received from England, by the mail just arrived, full particulars and estimates for S. W. Armstrong's hydraulic machinery, obtained for me by the well-known engineer—J. W. Dunlop. The same gentleman has also inspected the discharging machinery at the various wharfs and docks in London, with a view of seeing the most approved and modern systems, and the additional information I have now received bears out my views as previously expressed to the Government.

I have, &c.,

NORMAN SELFE.

Seen.—J.S., 21/1/74.

No. 12.

N. SELFE, ESQ., to THE MINISTER FOR PUBLIC WORKS.

Rockleigh, Balmain,
16 February, 1874.

SIR,

In reply to your request of the 19th December last, I have now the honor to forward with this working plans and specifications for six separate berths for vessels at the Circular Quay, the number arranged for at one personal interview in December.

Plan A is for the new wharfs to be constructed of stone walls, and the space reclaimed,—the pier-heads being either of timber, brick, or stone. Plan B is for the whole of the work to be constructed of timber on piles.

A small accompanying plan is for the soundings only.

I need not point out the advantages of a stone wharf over one of any other material as a permanent erection, but may mention some of the minor advantages, such as the construction of silt-pits to intercept the deposit from the drainage, the walls against which to back drays when goods have to be left for any time on wharf, and the more solid foundation afforded for the sheds; these are all shown on Plan A.

On reference to the plans it will be seen that every vessel has a large amount of wharfage room, both open and under cover; goods can be loaded direct into drays or trucks, or placed under cover, and when put into the sheds they can be loaded into drays without relifting or having to place them on a tramway; if desired, one end of the shed can be enclosed for a bond 40 feet x 20 feet, and a passage of 20 feet is left between the end shed and edge of quay, so that if it was found necessary drays could draw right round.

This general arrangement leaves a roadway 60 feet wide from the front of the wool stores that is not wanted for wharfage purposes, and my suggestion is that this street be carried right round through the quarries to opposite the boat harbour, meeting the promenade to the Botanical Gardens. Macquarie-street being also continued parallel to it, and gradually falling to the same level at the end of this, will open out many hundreds of feet frontage of building sites, having all the advantages possessed by the present wool stores, &c.

I would point out that in the event of the railway being continued to the quay at a future time the berths would form natural sidings, so that the trucks could go alongside the vessels.

As a great deal of wool is loaded into lighters for conveyance to vessels in other parts of the harbour, and as it is probable that it would be a great advantage to the inhabitants of North Shore if the ferry was nearer to the bottom of Pitt-street, I have considered the propriety of setting apart a new wharf for the ferry, and devoting that first designed for the purpose to the use of lighters, &c.

I have marked on drawings circles indicating position of cranes, &c., and it is important that the best system of discharging machinery be attached to any plan that is carried out. Since my last communication with the Government I have received more information concerning hydraulic machinery for the purpose, and am confident that hydraulic winches and cranes would enable cargo to be discharged in half the time it takes at present.

I may add that in designing the berths I have had in view what may be called the moderate class or medium-sized Foreign vessels visiting the port, such as the "Parramatta," "Hydaspes," "Sobraon," "Benmore," "Samuel Plimsoll," &c. Should vessels 100 feet longer, such as our mail steamers and many merchant vessels now building and afloat, become regular traders here, the want can be met by making an additional length to the end of the jetties.

Trusting that my views, which are based on practical experience, may meet with your favourable consideration,

I have, &c.,
NORMAN SELFE.

No. 13.

MINUTE OF THE MINISTER FOR PUBLIC WORKS.

LET tenders for this work be invited through the Press in the usual way. Mr. Selfe may be permitted to exhibit the plans to intending contractors where most convenient to himself, but the tenders to be sent to and opened in this office by the Board in the usual way.

16/2/74.

J. SUTHERLAND.

No. 14.

NOTICE INVITING TENDERS.

Department of Public Works,
Sydney, 16 February, 1874.

To Contractors.

TENDERS for improvements at the Circular Quay, on the separate berth system, in accordance with the design proposed by Mr. Selfe, will be received at this Office until 11 o'clock A.M. on Tuesday, the 3rd day of March next. Plans and specifications may be seen, and all particulars obtained, on application at the Exchange, Sydney.

Tenders are to be addressed to the Under Secretary for Public Works, and to be endorsed "Tenders for Circular Quay Improvements—Separate Berths System."

JOHN SUTHERLAND.

No. 15.

THE UNDER SECRETARY FOR PUBLIC WORKS to N. SELFE, Esq.

Department of Public Works,
Sydney, 3 March, 1874.

SIR,

The tenders, six in number, for the work specified in the margin, are referred to you for report, and you will have the goodness, as early as possible, to return them to me direct for submission to the Minister.

I have, &c.,
JOHN RAE.

For Mr. Selfe.—J.R., 3/3/74.

Improvements
at the Circular
Quay—Separate
Berths System.

SUMMARY of Tenders for proposed improvements at the Circular Quay, on the plan proposed by Mr. Selfe—Opened 3rd March, 1874.

SCHEDULE RATES.

NO.	Stonework under water, per cube yard.		Stonework above water, in cement, per cube yard.		Packed ballast, per cube yard.	Ordinary rubbish shot in, per cube yard.	Brickwork slit-pits, per rod.	Ballasting surface, per cube yard.	Metalling surface, per cube yard.	Piles (20 in. heads), per foot run.	Coppering piles, 22 oz., per foot super.	Ironbark girders in place, cube foot.	Planking fixed, per square.	Headstocks in place, cube foot.	Bolts and straps, per cwt.	Tarring, per square.	Coppering piles, foot run.	
	£ s. d.	£ s. d.	£ s. d.	£ s. d.														
1. John Musson & Co. (different plan) .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
2. John McLeod	3 15 0	4 14 0	4/1	2/2	.....	.....	4/6	17/6	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
3. A. & R. Amos & Co.	4 1 0	3 7 6	4/	2/	.....	.....	2/6	10/	6/6	2/3	4/	8 10 0	4/6	56/	3/	.....	.....	.....
4. John Young	3 15 0	4 5 0	3/9	2/6	.....	.....	12/6	6/	.....	4/	10 0 0	4/	70/	5/6	9/	.....	.....	.....
5. William Watkins.....	.....	3 11 4	4/	2/6	.....	.....	2/6	12/	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
6. J. Musson & Co. ....	.....	3 12 0	5/	2/6	£20	4/	12/	4/9	2/1	4/9	10 0 0	5/	84/	5/	.....	.....	.....	.....

SUMMARY

SUMMARY of Tenders for proposed improvements at the Circular Quay, on the plan proposed by Mr. Selfe.—Opened 3 March, 1876.
BULK SUMS.

	As per plan A.						Plan A.	Plan B.
	Stone Wharfs, without piers.	Stone piers, separate.	Timber piers, separate.	Stone throughout.	Stone and brick.	Stone and timber.	All brick in cement, stone coping.	Timber Wharf throughout.
	£	£	£	£	£	£	£	£
1. John Musson & Co.* .....	.....	.....	.....	.....	.....	.....	.....	.....
2. John M'Leod	83,860	31,580	.....	115,440	.....	.....	.....	.....
3. A. & R. Amos & Co.	65,438	24,627	4,100	90,065	.....	69,538	.....	29,785
4. John Young.....	.....	.....	.....	112,500	105,600	86,000	98,000	38,600
5. William Watkins .....	.....	.....	.....	116,301/18/7	.....	103,423/8/7	.....	.....
6. John Musson & Co.† .....	.....	.....	.....	.....	.....	.....	.....	.....

* This Tender is for different plans.

† Schedule rates only.

Messrs. Musson & Co. to The Under Secretary for Public Works.

Sir,

Sydney, 3 March, 1874.

By permission of the Honorable the Minister for Works we beg to submit tender and plan for fourteen new berths or wharfs at Sydney Cove, that is,—eight constructed of stone, giving each vessel a separate berth, and three jetties giving six berths, the latter to be constructed of cast-iron piles made in the Colony with a superstructure of timber.

The work will include the filling in of the reclaimed space, ballasting and metalling the same ready for traffic.

Should our plan or system be approved of we shall be glad to furnish detail drawings of the jetties, &c., with specifications.

The whole of the work to be done in a good and workmanlike manner, and to the satisfaction of the Engineer-in-Chief for Harbours and Rivers.

The whole of this work we offer to construct for the sum of ninety thousand pounds (£90,000).

Should our plans and specification be adopted and not our prices, we claim on the cost of construction a commission of 2½ per cent.

We beg to point out that several of the berths can with ease be made longer; we also suggest that a large derick-crane be constructed on the most northern wharf 100 feet high and capable of lifting 70 tons weight.

We have, &c.,

JOHN MUSSON & Co.

P.S.—We are willing to construct the sheds at £20 per square; we also give the Government the option of having timber piles (coppered) in the jetties at our price, or timber without copper, in which case the value of the copper to be deducted.—J.M. & Co.

J.S.
J.W.
W.C.B.
J.R.
J.B.

Mr. J. M'Leod to The Under Secretary for Public Works.

Circular Wharfs.—Tender.

I HEREBY offer to construct the whole of works described in the foregoing specifications to plan A, and to enter into the customary bond for the due performance of the same to the satisfaction of the Government of New South Wales, or their appointed agent, and to complete the same in three and a-half years.

For the whole of the works in specification to plan A, but without pier-heads, eighty-three thousand eight hundred and sixty pounds (£83,860); for stone pier-heads, £31,580; total for plan with all stone, £115,440.

JOHN M'LEOD,

Contractor.

Proposed sureties { MR. HUGH M'MASTER.
MR. PETER M'LEOD.

Schedule for Plan A.

	£	s.	d.
1st. Stone, under water, per cubic yard	3	15	0
2nd. „ above water,	4	14	0
3rd. Packed ballast, under water	0	4	1
4th. Ordinary rubbish	0	2	2
5th. Ballasting surface	0	4	6
6th. Metalling surface	0	17	6

No. 5, Exchange,

Sydney, 3 March, 1874.

WE hereby offer to carry out the proposed improvements to Circular Quay, in accordance with plans, specifications, and bill of quantities, in accordance with Plan B, for the sum of twenty-nine thousand seven hundred and eighty five pounds (£29,785).

Or, in accordance with Plan A:—

Wharfs,—for the sum of sixty-five thousand four hundred and thirty-eight pounds (£65,438).

Pier-heads in timber,—four thousand one hundred pounds (£4,100).

Pier-heads, in stone,—twenty-four thousand six hundred and twenty-seven pounds (£24,627).

Schedules of prices is attached.

J.S.
J.W.
W.C.B.
J.R.
J.B.

A. & R. AMOS & Co.

SCHEDULE of Prices in connection with Tender for Improvements at Circular Quay.

	£	s.	d.	
Stonework, under water.....	4	1	0	per cub. yd.
„ in cement above water	3	7	6	„
Packed ballast under water	0	4	0	„
Ordinary rubbish, shot in	0	2	0	„
Ballasting surface	0	2	6	„
Metalling surface.....	0	10	0	„
Piles, 20-inch heads	0	6	6	per linl. foot.
Coppering piles with 22oz. metal	0	2	3	per sup. foot.
Girders, ironbark, placed	0	4	0	per cub. foot.
Planking, fixed, 6 inches	8	10	0	per square.
Headstocks, 14 x 7, in place	0	4	6	per cub. foot.
Bolts and straps	0	0	6	per lb.
Tarring	0	3	0	per square.

A. & R. AMOS & Co.

Mr.

Mr. J. Young to The Minister for Public Works.

5, Argyle-terrace,
Pitt-street, Redfern, Sydney,

New Wharfs, Sydney Cove.

J.S. I HEREBY offer to construct the whole of the work described in the printed specifications and plans A and B respectively, and
J.W. to enter into the customary bonds for the due performance of the same to the satisfaction of the Government of New South
J.R. Wales, or their appointed agent. The plans and specifications referred to are those prepared by N. Selve, Esq.
W.C.B.
J.B.

	£	s.	d.
Tender—Total for plan A, with all stone walling and stone pier-heads, complete	112,500	0	0
„ Total for plan A, with stone walling and brick pier-heads, and wood top	105,600	0	0
„ Total for plan A, with stone walling and timber pier-heads	86,000	0	0
„ Total for plan A, with hard compressed vitrified brick walling and brick pier-heads, and stone coping, all in cement	98,000	0	0
„ Total for plan B, all timber piles, &c., without coppicing	38,600	0	0

Sureties { W. H. ROLFE, Timber Merchant.
N. GOODSSELL, Brick Merchant.

I am, &c.,
JOHN YOUNG,
Contractor.

Schedule for the Works, Circular Quay.

	£	s.	d.
Stonework, under water-line, per cubic yard	3	15	0
„ in cement	4	5	0
Packed ballast	0	3	9
Metalling	0	12	6
20-inch pile at head, per foot run	0	6	0
Coppering piles, 22oz. per sup. foot, at per foot run of pile ..	0	9	0
Ironbark girders, per foot cube	0	4	0
6 planking, per 100 feet sup. surface	10	0	0
Headstock, 14 x 7, per foot cube, to place	0	4	0
Bolts and straps, per cwt.	3	10	0
Tarring, per square 100 feet	0	5	6
Rubbish or earth, per cubic yard	0	2	6

Memo.—If pile wharf is well braced and piles coppered would cost about double.

JOHN YOUNG.

The above only to apply to additional works, as the tenders on other side are made up in one lump sum to do the work, in consequence of the plant required.—J.Y.

Mr. W. Watkins to The Under Secretary for Public Works.

Sydney, 2. March, 1874.

Tender for Improvements at the Circular Quay.

J.S. I WILL perform the whole of the proposed works for the improvement of Circular Quay in accordance with plan A as exhibited
W.C.B. by Mr. Selve, on the separate berth system, including pier-heads in stone, for the sum of one hundred and sixteen thousand
J.B. three hundred and one pounds eighteen shillings and seven pence (£116,301 18s. 7d.)
J.W. If the five pier-heads are done in timber, deduct from the above sum twelve thousand eight hundred and seventy-eight
J.R. pounds ten shillings (£12,878 10s.)

	£	s.	d.
Masonry (average), per cub. yard	3	11	4
Packed ballast,	0	4	0
Rubbish, tipped	0	2	6
Surface ballasting	0	2	6
„ metalling	0	12	0

Proposed Bondsmen { WILLIAM POOLE, Glebe.
RICHARD WARREN, Ashfield.

WILLIAM WATKINS,
Cleveland-street.

Messrs. J. Musson & Co. to The Under Secretary for Public Works.

Sydney, Mar. 3, /74.

Sir,

We have the honor to enclose tender for Mr. Selve's system of wharfs A and B. We submit schedule of prices instead of bulk sum, as we were quite unable to take out the quantities from the plans submitted at the Exchange.

Mr. Selve furnished certain quantities for masonry, piles, and planking (*only*), and those do not represent the true quantity.

We have, &c.,
JOHN MUSSON & Co.

PLAN A.

Mr. Selve's system of Wharfs.

	£	s.	d.
Stonework, under water, per cubic yard	3	12	0
Do. in cement, above water, per cubic yard	3	12	0
Packed ballast, under water, per cubic yard	0	5	0
Ordinary rubbish, shot in, per cubic yard	0	2	6
Brickwork, in cement, silt-pits, per rod	20	0	0
Ballasting surface, per cubic yard	0	4	0
Metalling surface, per cubic yard	0	12	0
Piles, 20-inch heads, per foot run	0	4	9
Coppering piles, per foot super., 22-oz.	0	2	0
Girder, ironbark, in place, per cubic foot	0	4	9
Planking (fixed), 6-inch, per square	10	0	0
Headstocks, 14 x 7, &c., per foot cubic, in place	0	5	0
Bolts, &c., and straps, per cwt.	4	4	0
Tarring, per square	0	5	0
Brickwork, pier-heads, per cubic yard	15	0	0
Stonework,	10	0	0
Timber-work, as per above schedule	as above.		

J. MUSSON & Co.,
March 3, /74.

PLAN

J.S.
J.R.
J.W.
W.C.B.
J.B.

PLAN B.

<i>Mr. Selfe's system of wharfs.</i>		£	s.	d.
Stonework, under water, per cubic yard.....		3	12	0
" in cement, above water, per cubic yard		3	12	0
Packed ballast, under water, per cubic yard		0	5	0
Ordinary rubbish, shot in, per cubic yard		0	2	6
Ballasting surface, per cubic yard		0	4	0
Metalling surface, per cubic yard		0	12	0
Piles, 20-inch heads, per foot run		0	4	9
Coppering piles, per foot super., 22-oz.		0	2	0
Girders, ironbark, in place, per cubic foot.....		0	4	9
Planking (fixed), 6-inch per square	10	0	0	
Headstocks, 14 x 7, &c., per foot cubic, in place	0	5	0	
Bolts, &c., and straps, per cwt.....	4	4	0	
Tarring, per square	0	5	0	
Pier-heads, as per schedule A.				

J.S.
J.B.
W.C.B.
J.W.
J.R.

J. MUSSON & Co.,
March 3, /74.

No. 16.

N. SELFE, Esq., to THE MINISTER FOR PUBLIC WORKS.

Rockleigh, Balmain,
5 March, 1874.

SIR,

I beg to return herewith the tenders for improvements at the Circular Quay, which were handed to me on the 3rd instant. I also enclose a table showing the several bulk sums and the schedule rates, and an approximate estimate, based on the lowest schedule; and have the honor to report as follows:—

Tenders Nos. 1 and 6 are informal, the first being for another design, and for which no quantities are given, and the latter contains schedule prices only. Tenders Nos. 2 and 5 are for plan A only and are in excess of my approximate estimates, but No. 5 is the lowest schedule. Tenders Nos. 3 and 4 agree more with my estimates, and give prices for the work in stone, brick, and timber. No. 3 gives six bulk sums and No. 4 gives five different prices.

In comparing the Schedule rates the prices in No. 5 are the lowest; although this tender is the highest in the bulk sums, and the quantities carried out, with usual percentage, amount to rather more than tender No. 3. Although No. 6 is informal I have worked out the cost; but as the principal items are all more than those in No. 5 it is unnecessary to give it more consideration.

For carrying out the plan A with stone or timber jetties the difference of prices is £20,527 in No. 3, £25,500 in No. 4, and only £12,875 in No. 5. Tenders Nos. 3 and 4 are the only ones which give a price for the work all in timber—the former £29,875, the latter £38,600; this shows a considerable difference, but on the whole confirms my estimates for the work handed to you on the 30th September last, especially when the increased price of timber since that time is considered.

Tender No. 5 is for brick work set in cement, from the rock upwards, with a coping of stone. This would of necessity have to be built in a coffer dam, and as a consequence would allow of thorough inspection, and insure sound work. This is the mode of construction adopted in the Docks of London and other places; and with the vitrified bricks proposed to be used would probably be for stronger work than ordinary sandstone, the tender being £98,000. This tender also gives prices for the stone wharf with the jetties of wood, brick, and stone respectively.

As the schedule rate for stonework under water is high in tender No. 3, the bulk sum being the lowest, I thought this price was to cover the cost of a coffer dam, and have since ascertained that this tenderer proposes to do his work in a coffer dam.

In conclusion, I would say that if a work to last some twenty or thirty years was required the tender for timber wharf by Messrs. Amos would be the most eligible, but as I would respectfully submit that work of a permanent character is the cheapest in the long run, and as the same class of cranes could hardly be erected on a pile structure as could be done if it was solid and permanent, I would recommend to the consideration of the Government the tender of Mr. Young for £98,000, and that of Mr. Amos for £90,065, and that the opinion of the Colonial Architect or other competent person be obtained on the bricks proposed to be used in the former one; or should it be thought likely that there may be many variations in the surface of the rock bottom, as the soundings were not taken expressly for the work under consideration, and that it would be better to carry it out at schedule rates, then the tender of Mr. Watkins would be the lowest, but I do not feel justified in recommending one in preference to the other without more consideration.

I have, &c.,
NORMAN SELFE.

5 March, 1874.

Estimate to accompany Letter to Hon. Minister for Works.

Approximate cost of the proposed Improvements at the Circular Quay at the schedule prices of tender No. 3 (Wm. Watkins.)

Masonry in wharf walls	13,920	cub. yds.			
Do. in piers 40 ft. below l.-w.-m. 7,240 ..					
Total	21,160	yds., at £3 11 4	75,470	13	4
Filling in area of reclaimed ground—570 sq. yds.					
570 squares =	57,000	sq. feet.			
Deduct area wall ...	9,960	= 166 run x 6 ft.			
say 47,040 sq. ft. =	5,226.5	yds.			
5,226.5 yds. area x 11 yds. deep =	57,491.5	cub. yds.			
Total filling, deduct packed ballast 21,000 ..					
say 36,491 cub. yds., at 2/6	4,561	7	6		

Packed ballast behind walls— $1\frac{1}{2}$ time the wall.
= 21,000 cub. yds.

Filling of piers $83\frac{1}{2}$ yds. long }
13 " deep } = 7,580 "
7 " wide }

	£	s.	d.
Total 28,580 cub. yds., at 4/-	5,716	0	0
Surface ballast 50,000 cub. ft. = 1,851 cub. yds., at 2/6	231	7	6
" metalling 25,000 cub. ft. = 925 $\frac{1}{2}$ cub. yds., at 12/-	555	6	0
Deepening berth No. 6, say 40 cub. ft., at 30/-	60	0	0
Silt-pits, 13 rod brickwork, at £20 =	£260	0	0
7 sets gratings, frames, &c., = 35 cwt., at 20/-	35	0	0
Drain-pipes, &c., say	35	0	0
	330	0	0
180 yds. run of backing walls 4ft. 6in. x 18in., 135 cub. yds. masonry, at £3/11/4	481	10	0
1,728 cub. ft. mooring stones, at 2/-	172	16	0
	£87,579	0	4
Contingencies, 10 per cent.	8,757	0	0
Total	£96,336	0	0

NOTE.—If the work is done by this schedule without allowing for contingencies it is the lowest of the tenders.—N. SELFE.

No. 17.

MESSRS. AMOS & Co. to THE MINISTER FOR PUBLIC WORKS.

No. 5, Exchange, Sydney,

9 March, 1874.

SIR,

Mr. Norman Selfe has requested us to inform you of the mode in which we intend "carrying out the stonework of the Circular Quay by coffer-dam or otherwise, and also the extra cost per yard if the stone is set in cement."

We beg to state that we purpose the construction of coffer-dams to enable the foundations to be got out and the masonry set.

That the cost of setting the stone (under the water level) in cement instead of dry as specified would be at the rate of five shillings (5s.) per cubic yard of masonry, and that such addition will make our tenders stand as follows:—

As per plan B	...	...	Thirty thousand five hundred pounds (£30,500).
" A—Wharfs	...	...	Sixty-eight thousand and seventy-five pounds (£68,075).
Pier-heads	...	...	Twenty-five thousand eight hundred and seventy-five pounds (£25,875).

We have, &c.,

A. & R. AMOS & Co.

No. 18.

MR. J. YOUNG to THE MINISTER FOR PUBLIC WORKS.

4, Argyle-terrace,

Pitt-street, Redfern,

9 March, 1874.

SIR,

In reply to Mr. Selfe's letter saying that you desire an explanation of the manner I propose to do the work according to my tenders for Circular Quay (separate berth system), I have the honor to say that my offer to do the whole of the work in vitrified brick, set in cement, is taken—the full sizes shown in drawings for stone, and the water is intended by me to be dammed back so as to lay the work dry so that it can be inspected; this is for the sum of ninety-eight thousand pounds (£98,000).

The tender also for stone-walling and brick heads for £105,600 is all laid in cement, water dammed back, and works laid so that it can be inspected; the piers are the full size and solid, filled in, finished with stone coping.

The tender for all stone-walling £112,500 is also set in cement, and water dammed back, laid so that it can be inspected.

Either coffer or wrought-iron dams would be used.

I have, &c.,

JOHN YOUNG.

I tendered for the whole in cement and water kept back, believing it the only proper method of doing it.

No. 19.

MR. W. WATKINS to THE MINISTER FOR PUBLIC WORKS.

Sydney, 11 March, 1874.

SIR,

In accordance with your request I beg to inform you that I am prepared to perform the whole of the works proposed to be done at the Circular Quay for the prices named in schedule attached to my tender.

And for your further information I enclose a full schedule shewing how I made out my tender.

And whatever the quantities may be I adhere to my list of prices.

I have, &c.,

WILLIAM WATKINS.

[Enclosure.]

[Enclosure.]

Proposed improvements at the Circular Quay.

		£	s.	d.
Masonry.....	13,920	} cubic yards, @ 71/4	79,796	3 4
Do pier-heads.....	8,455			
Dredging.....	88,533	do @ 1/	4,426	13 0
Blasting rock under water.....	40	do @ 80/	160	0 0
Levelling rock to receive walls.....	3,600	square yards, @ 60/	10,800	0 0
Rubble—hand-packed.....	39,716	cubic yards, @ 4/	7,943	4 0
Filling in.....	79,127	do @ 2/6	9,890	17 6
Rubble—hand-packed to pier-heads.....	5,373	do @ 4/	1,074	12 0
Metalling.....	1,660	do @ 12/	996	0 0
Silt-pits, with drain-pipes and gratings.....	7	each £70	490	0 0
Mooring-stones.....	24	each £10 16/	259	4 0
Retaining walls.....			465	4 9
			<hr/>	
			£116,301	18 7

No. 20.

N. SELFE, Esq., to THE MINISTER FOR PUBLIC WORKS.

Rockleigh, Balmain,

7 April, 1874.

SIR,

Since writing my letter of the 5th ult., referring to the tenders for proposed works at the Circular Quay, the most eligible tenderers, Nos. 3, 4, and 5 have been communicated with as to the method they propose to adopt in carrying out the work, and the additional amount required to set all the work below water in cement.

No. 3.—Messrs. A. and R. Amos reply that they intend to do the whole work in a coffer dam, and lay the whole work open to inspection; also the additional cost of setting the whole in cement would be 5s. per cubic yard. This makes the lump sum £93,950. But their addition to the pier-heads shews that they have only £1,248 representing 4,992 yards, which is 1,211 yards less than allowed for in my estimate of March 5, based on Mr. Watkins' Schedule. If this extra work is added it would increase the lump sum to £99,147 6s.

No. 4.—Mr. John Young replies that all his tenders are for work executed in a coffer dam, and set in cement from the rock upwards.

No. 5.—Mr. Watkins (whose schedule rates are the lowest) explains that the additional amount in his lump sum is to cover the cost of dredging and levelling the bottom by divers, and that he would not be prepared to carry out the work in a coffer dam unless fresh tenders were called for.

Under these circumstances I feel justified in recommending to your consideration the tender of Mr. John Young for £98,000, and that of Messrs. Amos for £93,950, or with the extra-quantities £99,147. Should the Government prefer to dredge the ground first, and have the work done by divers, the schedule rates of Mr. Watkins would be the most likely to come to the least amount.

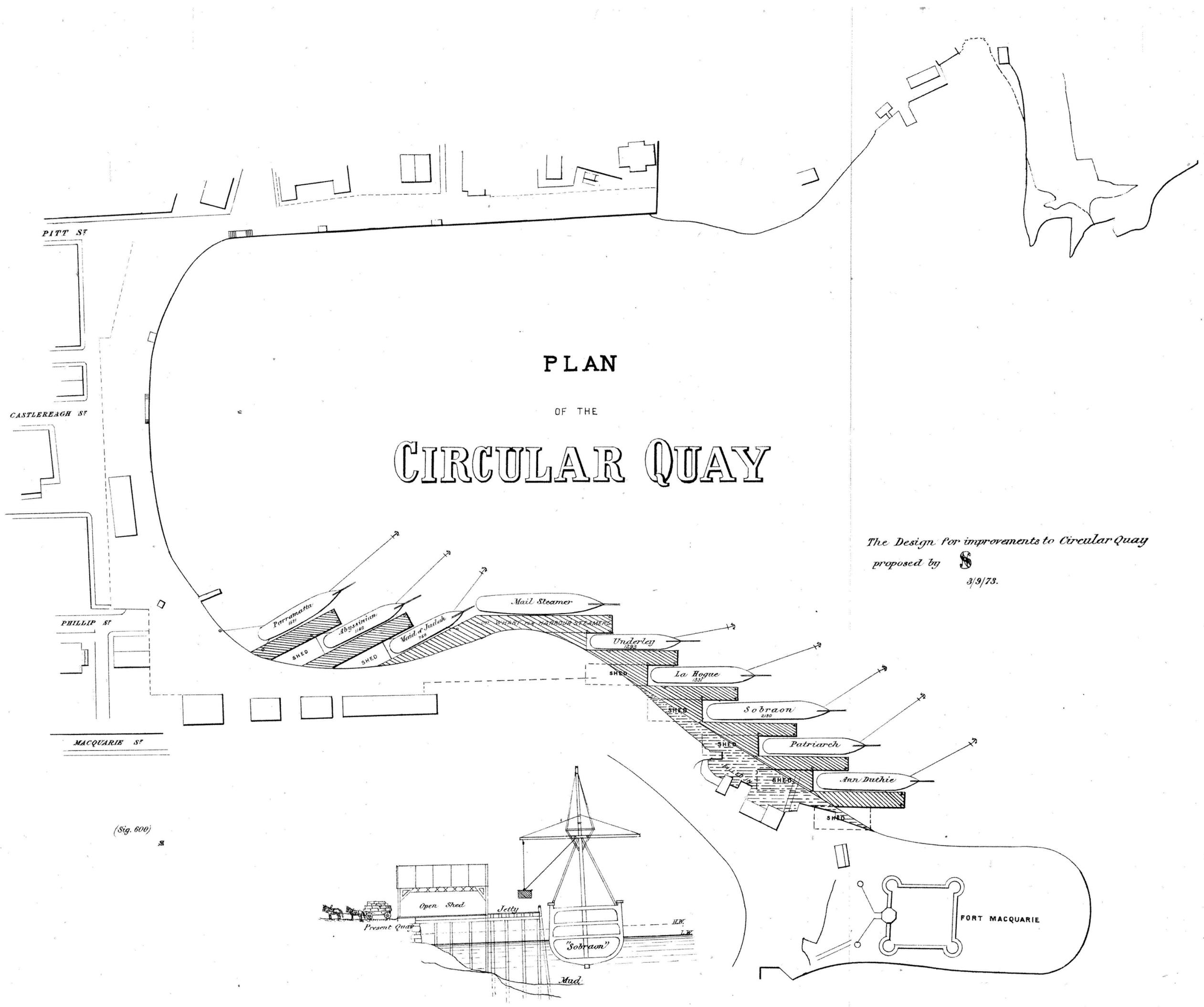
I have, &c.,

NORMAN SELFE.

APPROXIMATE cost of the proposed improvements at the Circular Quay, on Schedule of Tender No. 5.

		£	s.	d.
Masonry on wharf walls.....	13,920 cubic yards.			
Do in piers, 40 feet below l-w.....	7,240 „			
Total.....	21,160 yards, @ £3 11s. 4d.	75,470	13	4
Filling in area of reclaimed ground (say 570 sq. yards.)				
570 sq. yards.....	57,000 feet.			
Area of wall.....	9,960 „			
	47,040 feet, or 5226.5 square yards.			
5226.5 yards x 11 yards deep.....	57,491.5 cubic yards.			
Deduct packed ballast.....	21,000 „			
Say.....	36,491 cubic yards, @ 2s. 6d.	4,561	7	6
Packed ballast, as above.....	21,000 yards.			
Filling of piers.....	7,580 „			
Total.....	28,580 yards, @ 4s.	5,716	0	0
Surface ballast, 50,000 cubic feet, or 1,851 yards, @ 2s. 6d.		231	7	6
Surface metal, 25,000 cubic feet, or 925½ yards, @ 12s.		555	6	0
Deepening berth No. 6, say 40 yards, @ 30s.		60	0	0
Silt-pits—	£			
13 rod of brickwork, @ £20.....	260			
7 sets gratings, say.....	35			
Drain-pipes, say.....	35			
		330	0	0
Backing walls for drays—				
180 yards run, 4 feet 6 inches x 18 feet = 135 cubic yards, @ £3 11s. 4d.		481	10	0
1,723 cubic feet of mooring-stones, @ 2s.		172	16	0
		<hr/>		
		87,579	0	4

[Plan.]



PLAN

OF THE

CIRCULAR QUAY

The Design for improvements to Circular Quay
 proposed by §
 3/9/73.

(Sig. 600)

FORT MACQUARIE

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

IRON WHARF AT CIRCULAR QUAY.

(PETITION OF MR. CHARLES FOWLER.)

Ordered by the Legislative Assembly to be printed, 26 May, 1876.

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

The Petition of Charles Fowler, C.E., and Contractor, of Sydney,—

HUMBLY SHOWETH:—

That he sent in a tender on the 13th day of February, 1873, for a design for an iron Wharf for the Circular Quay, according to plans and specifications prepared by the Engineer-in-Chief for Harbours and Rivers, which was approved by the Minister for Works, who ordered tenders to be called for to obtain a contractor of ability to carry out the work. The tender of your Petitioner was considered the most eligible, and one surety was sent for, Mr. D. Williams, a gentleman of large capital; and a copy of the office quantities was handed to him to price out as a check to your Petitioner's quantities and estimate, he agreed to become security and sign the bond and contract as soon as prepared.

Tenders were immediately afterwards called for a design of timber prepared by the late Lieut. Gowlland, R.N.

Tenders were afterwards called for a design prepared by Mr. Norman Selfe.

A Committee of your Honorable House was afterwards appointed and numerous witnesses examined with no result.

Although a correspondence was continued by your Petitioner with the Government and no refusal stated until a letter dated the 9th day of December, 1875, wherein it was stated "it is the intention of the Government to again invite tenders both in the Colonies and in England."

This correspondence was moved for by Mr. Macintosh, M.L.A., and after a few months delay is now printed.

Your Petitioner had made his arrangements to proceed to England, and when the tender was virtually accepted your Petitioner had arranged to personally superintend the construction of the iron-work in England. Your Petitioner was kept in suspense week after week and month after month, until the 9th day of December, 1875, and has sustained severe loss from the disorganization of his business arrangements, which has been upwards of £5,000, and has been entirely owing to the procrastination and irregular unbusinesslike proceedings of the Government.

Your Petitioner prays your Honorable House will give such relief as to do justice to the great loss and grievance sustained by him.

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

CHARLES FOWLER.

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SEA-WALL AT COOGEE.

(CORRESPONDENCE.)

Ordered by the Legislative Assembly to be printed, 14 March, 1876.

RETURN to an *Order* of the Honorable the Legislative Assembly of New South Wales, dated the 8th February, 1876, That there be laid upon the Table of this House,—

- “ 1. Copies of any Correspondence between the Government and Residents of Coogee and neighbourhood since 1868, having reference to the erection of a Sea-wall at that place.
- “ 2. Copies of any Petition having reference to the same subject.”

(Mr. Macintosh.)

SCHEDULE.

NO.	PAGE.
1. Petition from the Trustees of Recreation Reserves at Coogee Bay, to the Secretary for Works, requesting that a sum of money be placed on the Estimates for the erection of a Sea-wall at that place. 7 November, 1871	2
2. Letter from the Under Secretary for Works to the Trustees, in reply. 15 November, 1871	2
3. Petition from the Trustees of Recreation Reserves, Coogee Bay, to the Legislative Assembly, for the erection by the Government of a Sea-wall at that place. Presented, 28 November, 1871	2
4. Report and Estimate of Cost from the Engineer-in-Chief for Harbours and Rivers on the proposed Sea-wall, also an Estimate according to the Plan of Mr. Reuss, as submitted by the Trustees. 2 August, 1872.....	2
5. Further Report from the Engineer-in-Chief for Harbours and Rivers on the same subject. 14 January, 1873	3
6. Letter from the Trustees to the Secretary for Works, enclosing a copy of a letter of the 13th November, 1873, addressed to the Colonial Secretary, urging that the necessary amount be placed on Estimates. 12 January, 1874	3
7. Letter from the Trustees to the Minister for Works, on the same subject. 15 August, 1874	4

SEA-WALL AT COOGEE.

No. 1.

PETITION FROM THE TRUSTEES OF RECREATION RESERVES, COOGEE BAY, TO THE MINISTER FOR PUBLIC WORKS.

Sydney, 167 Pitt-street,
7 November, 1871.

SIR,

We, the undersigned Trustees of the Reserves at Coogee for Public Recreation, most respectfully request that you will cause to be placed upon the Estimates for the approaching Session, a sum of money (say £1,475) to enable the said Trustees to erect a Sea-wall, as per plan and estimate herewith, so as to prevent the further encroachment of the sea upon improvements already made by the Trustees from private funds.

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

We remain, &c.,

JOHN THOMPSON.
CHAS. MOORE.
JAMES POWELL.

No. 2.

THE UNDER SECRETARY FOR PUBLIC WORKS TO THE TRUSTEES.

Department of Public Works,
Sydney, 15 November, 1871.

GENTLEMEN,

In reference to your letter of the 7th instant, requesting that the sum of £1,475 may be placed on the Estimates for the purpose of building a Sea-wall for the protection of the public Reserve at Coogee, I am directed by the Honorable the Secretary for Works to inform you that the Government is not at present prepared to place a sum of money on the Estimates for this purpose.

I have, &c.,

JOHN RAE.

No. 3.

PETITION FROM THE TRUSTEES.

1871-2.—Legislative Assembly, New South Wales.

Reserves at Coogee Bay.—(Petition for erection of Sea-wall—Trustees of.)

Ordered by the Legislative Assembly to be printed, 28 November, 1871.

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

The humble Petition of the undersigned Trustees of the Reserves for Recreation at Coogee Bay,—

RESPECTFULLY SHOWETH:—

That for the last five years the Reserves under your Petitioners' care have been planted, cleared, fenced, and kept in good order, from funds *privately* provided.

That these Reserves are daily visited by large numbers of persons from Sydney and Suburbs; for change of air and recreation, and, from their close proximity to Sydney, are the favourite resort of all classes on holidays.

That during the very inclement weather at last Christmas, the stand or place set apart for carriages and during their passengers was almost entirely washed away; and that if there should be a recurrence of bad weather, the approaches to the Reserves will undoubtedly be destroyed.

That it would be a matter of great regret to your Petitioners if further damage to these Reserves should exclude the Public from their enjoyment.

That your Petitioners consider the erection of a substantial Sea-wall absolutely necessary to prevent further encroachments.

Wherefore, your Petitioners humbly pray that your Honorable House will take these premises into your consideration, and adopt such measures as may seem necessary.

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

JOHN THOMPSON.
CHAS. MOORE.
JAMES POWELL.

No. 4.

THE ENGINEER-IN-CHIEF FOR HARBOURS AND RIVERS TO THE UNDER SECRETARY FOR PUBLIC WORKS.

Department of Public Works,
Harbours and Rivers Branch,
Sydney, 2 August, 1872.

SIR,

I have the honor to report that, in attention to Mr. Secretary Sutherland's instructions, I have had a survey made of that part of Coogee Bay where it has been proposed to construct a Sea-wall to arrest the further wasting of the land, and I have myself carefully examined the place.

In

In my opinion, a Sea-wall of the dimensions shown on the sketch (Mr. Reuss's) which has been submitted to me would not stand the mere pressure of the sand backing, being very much slighter than what is considered a safe proportion for revetment walls in similar circumstances. But if even the wall were of sufficient strength, the fact of its having to be founded on a shifting sand, liable at any time to be washed from under it during an easterly gale, must be considered as a fatal objection.

I think the best means of fixing the sand and preventing further encroachments would be by trimming it down to a proper slope and grassing and planting it with shrubs. This plan has been tried with success both at Newcastle and Wollongong.

The cost of the wall shown on the plan submitted by Mr. Reuss cannot, I think, be estimated at less than £2,100.

I have, &c.,

E. O. MORIARTY,
Engineer-in-Chief.

Department of Public Works,
Harbours and Rivers Branch,
Sydney, 2 August, 1872.

Coogee Bay.

Rough Estimate of proposed Sea-wall as per plan of Mr. F. H. Reuss.

To 800 cubic yards excavation, 2s.	£80	0	0
„ 800 „ masonry in cement, £2 10s.	2,000	0	0
„ 500 „ filling back of wall, 1s.	25	0	0
„ 270 square yards gravelling, say	50	0	0
	<hr/>		
	2,155	0	0
Contingencies, 10 per cent.	215	0	0
	<hr/>		
	£2,370	0	0
Additional wall to withstand the pressure of the sand—630 cubic yards, £2 10s:	1,572	0	0
	<hr/>		
	£3,945	0	0

No. 5.

FURTHER REPORT FROM ENGINEER-IN-CHIEF FOR HARBOURS AND RIVERS.

Department of Public Works,
Harbours and Rivers Branch,
Sydney 14 January, 1873.

Sea-wall, Coogee Bay.

MEMO.—In attention to the verbal instructions of the Honorable the Secretary for Public Works, I have again examined the proposed site for a Sea-wall at Coogee Bay.

I find that, in order to reach a foundation on which it would alone be possible to construct a stable retaining wall, it would be necessary to sink the footings to a depth of at least 12 ft. below the level of the sand. This would give, as the cost of a wall of this dimension shown on the accompanying plan, about £6 6s. per foot run.

E. O. MORIARTY.

Seen by Minister.—J.R., 14/2/73.

No. 6.

THE TRUSTEES TO THE SECRETARY FOR PUBLIC WORKS.

Sydney, 167, Pitt-street,
12 January, 1874.

SIR,

We, the undersigned Trustees of the Coogee Reserves, take the liberty of enclosing for your information and guidance, copy of correspondence with the Honorable Henry Parkes, relative to placing on the Additional Estimates a sum for a Sea-wall at Coogee Bay, for the protection of the Reserves under our care.

Our application of the 14th September last was for £1,475. Mr. Moriarty's estimate is for £1,905; we therefore trust you will have this latter amount placed on the Estimates, according to the promise made us by the Honorable the Colonial Secretary.

We have, &c.,

JAMES POWELL.
CHAS. MOORE.
JOHN THOMPSON.

[Enclosure in No. 6.]

Trustees to The Colonial Secretary.

Sydney, 167, Pitt-street,
13 November, 1873.

Sir,

With reference to your verbal promise to us to place a sum of £* on the Additional Estimates for a Sea-wall at Coogee Bay, we, the Trustees of the Reserves there, remind you again, with a view to your giving directions to have the amount placed on the Estimates according to promise.

We have, &c.,

JNO. THOMPSON.
CHAS. MOORE.
JAS. POWELL.

* Petition printed by order of the Legislative Assembly, 28 November, 1871.
* Our application of 14 November, 1872, was for £1,475.
* Mr. Moriarty's Estimate, as per plan at the Works Department, is for £1,905.

No. 7.

THE TRUSTEES to THE MINISTER FOR WORKS.

167, Pitt-street;
Sydney, 15 August, 1874.

SIR,

We, the undersigned, Trustees of the Coogee Reserves for Recreation, humbly request that you will place the sum of £1,905 on the Supplementary Estimates for the present year, for the purpose of erecting a Sea-wall for the protection of a portion of the Reserves under our control.

These reserves for the past eight years have been cleared, fenced, planted, and kept in good order from funds privately provided.

Bathing places have been excavated at the north and south sides of the bay, and are made use of by the inhabitants of Sydney.

We therefore humbly request that before Parliament meets you will send a qualified officer to report on the value of the various improvements made by us out of our private funds for the public welfare, and cause a further sum to be added, if the value of such improvements should exceed the amount named.

We have, &c.,

JOHN THOMPSON.
JAMES POWELL.
CHAS. MOORE.

1875.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

WAVE-BREAKER.
(CORRESPONDENCE RESPECTING DISCOVERY OF.)

Ordered by the Legislative Assembly to be printed, 14 December, 1875.

RETURN to an *Order* of the Honorable the Legislative Assembly of New South Wales, dated 23 November, 1875, That there belaid upon the Table of this House,—

“Copies of the Correspondence between the Government and Captain Blom Crawford, respecting his alleged discovery of a ‘Wave-breaker.’”

(*Mr. Macintosh.*)

SCHEDULE.

NO.		PAGE.
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WAVE-BREAKER.

No. 1.

CAPTAIN CRAWFORD TO THE COLONIAL SECRETARY.

1, Bullanaming-street, Raglan-street,
Sydney, 25 September, 1874.

SIR,

It is given to me to be the medium of bringing to light a discovery which will I venture to hope prove of immense advantage to the whole maritime world. Thus, having introduced myself, I shall briefly, with your permission, state what it is and what it is for.

All persons who have had an opportunity to cross the briny ocean know its attendant dangers, and all ships have to battle the racy tempests, and meet with furious storms at sea.

None but the professional seaman can more clearly comprehend the pending ruin, the disastrous catastrophe that is occasioned through those mighty billows and threatening waves, if allowed unchecked to roll in on board a vessel—the more so are vessels which are heavily laden exposed to those angry and resistless seas that break upon them during heavy gales; and not unfrequently not only cause great damage to ship and cargo, but there and then end in fatality, that is, is entirely obliterated from existence, the whole ship, with its valuable contents of lives and cargo, being engulfed into the deep—never to be heard of, how they came to such an abrupt and mysterious termination. Millions of money and thousands of lives are annually lost to the maritime nations through these casualties; one heavy and well directed sea may lay a ship prostrate from which it cannot recover, and completely disarrange the vessel as to compel the master to deviate from the right course and seek shelter in a harbour of refuge, where heavy outlay for repairs to his ship are necessary to enable him to proceed for his intended destination; thus enormous sums and great waste of time is annually created by these mistakes which can be almost entirely obviated by the adoption and construction of my invention, applicable to and preventive of such disastrous results, occasioned through the shipping heavy seas on board vessels.

I have given this valuable invention of mine the name "Wave-breaker"; the name in itself is suggestive, as the duty of this Wave-breaker is to break the seas or waves and thereby mollify its force, and to make it (the waves) innocuous or harmless; thus a ship's deck in a heavy and confused sea can be preserved dry, and no danger incurred to the ship from this cause. A trial of the "Wave-breaker" with one of our numerous coast steamers would prove its worth and testify its high utility to the maritime world, and prospects promising such grand results is surely entitled to a trial.

I have, &c.,

C. A. BLOM CRAWFORD.

No. 2.

CAPTAIN CRAWFORD TO THE COLONIAL SECRETARY.

1, Bullanaming-street, Raglan-street,
Sydney, 6 March, 1875.

(Extract.)

SIR,

† * * * * * * * * * *
The most important of my inventions being the "Wave-breaker," which discovery will greatly benefit the commercial interests and give additional security to the shipping properties in particular; the "Wave-breaker" is also of high State importance in a political aspect, and why it is so I am not here warranted in even making an allusion, but enough that it is so.

† * * * * * * * * * *

I have, &c.,

C. A. BLOM CRAWFORD.

No. 3.

THE COLONIAL SECRETARY TO CAPTAIN CRAWFORD.

Colonial Secretary's Office,
Sydney, 18 March, 1875.

SIR,

Referring to your letter of the 25th September last, relative to your invention styled the "Wave-breaker," I am directed by the Colonial Secretary to inform you that the Marine Board, to whom your communication was submitted, is unable from the information available therein to decide on the merits of your discovery.

2. I am further desired to state that if you will furnish a model or further particulars the Board will then be in a position to offer an opinion in the matter.

I have, &c.,

HENRY HALLORAN.

No. 4.

† The omitted portions do not refer to the "Wave-breaker."

No. 4.

CAPTAIN CRAWFORD TO THE COLONIAL SECRETARY.

1, Bullanaming-street, Raglan-street,
Sydney, 20 March, 1875.

SIR,

I have the honor to acknowledge the receipt of your reply of 18th instant, to my communication of 25th September last, bearing upon my discovery of how to effectuate "Wave-breaking" and the invention, built on that discovery, styled the "Wave-breaker."

In response thereto I beg to submit the following:—If Her Majesty's Government will embrace the opportunity in having the discovery of "Wave-breaking" made known and of becoming possessed of my invention, the "Wave-breaker," founded thereon, the least a paternal Government can do for the discoverer thereof is to offer him legitimate aid, and all due protection from intruders or other *outsiders*, whilst the secret of his discovery is being investigated, and is in process of development through all the various stages, till it has assumed a practical shape; and to do this effectually and satisfactorily a certain guarantee by way of temporary protection to, and subsequent preference for, the original discoverer is indispensable for the safe production of the discovery and invention, resulting as it undoubtedly will in great good to the nation at large, and conferring manifold benefits on its people.

This mutual understanding must form the basis for entering into a thorough investigation of all particulars pertaining to the exposition of the doctrine of "Wave-breaking."

Thus, as read above, I am prepared to submit all particulars of this matter before a competent body of practical gentlemen whom Her Majesty's Government shall deem fit to be appointed for examination of my discovery.

Should the Government appoint a Commission to investigate the research of my discovery of "Wave-breaking" they would, perhaps, include a naval representative from some of Her Majesty's ships on the station.

I have, &c.,
C. A. BLOM CRAWFORD.

No. 5.

CAPTAIN CRAWFORD TO THE COLONIAL SECRETARY.

1, Bullanaming-street, Raglan-street,
17 April, 1875.

SIR,

Would the Chief Secretary oblige by letting me know whether he has made representations to Her Majesty's Government respecting my discovery the "Wave-breaker," as contained in my communication?

I have, &c.,
C. A. BLOM CRAWFORD.

No. 6.

THE PRINCIPAL UNDER SECRETARY TO CAPTAIN CRAWFORD.

Colonial Secretary's Office,
Sydney, 17 August, 1875.

SIR,

In reference to the correspondence which has taken place with you on the subject of what you denominate your discoveries of a "Torpedo Antidote" and a "Wave-breaker," I am desired by the Colonial Secretary to inform you that your proper course of procedure under the law was, as you were aware from the first, by Petition for Letters of Registration under the Colonial Statute, securing to yourself thereby for a period of years the exclusive advantages, whatever they might be, of your discoveries, but that in consideration of your position and of your pressing applications, whatever could be has at much trouble been attempted on the intangible and vague descriptions which your letters contain, to meet your wishes in regard to an investigation by qualified persons.

2. In reference however to your personal conference of this evening, and the insinuations and aspersions in which you presumed to indulge as regarded the head of the previous Administration, that your discoveries had been secretly made available, and that your house has been searched in your absence in reference to your discoveries, Mr. Robertson directs me to say that it is quite impossible to deal with you further in these matters, except in the usual manner by your petitioning under the Inventions Registration Law, a copy whereof is enclosed, to secure to you the advantages of your discoveries.

I have, &c.,
HENRY HALLORAN.

No. 7.

CAPTAIN CRAWFORD to THE COLONIAL SECRETARY.

(Extract.)

1, Bullanaming-street, Raglan-street,
23 August, 1875.

SIR,

I have the honor of acknowledging your letter of the 17th instaut with the enclosed Inventions Registration Act, and your comments on our personal conversation respecting my discoveries, "Torpedo Antidote" and "Wave-breaker," as previously communicated to the Government.

† * * * * *
 You must have misunderstood my utterances or misapplied my language, and I dare say, a Russian subject, as I am, speaking the English language but imperfectly, with an occasional bad pronunciation, is a subject for misconstruction or misunderstanding where you say that I indulged in aspersions; nothing of the kind, far from it—I was and am still only too anxious to divulge my discoveries.

I have, &c.,

C. A. BLOM CRAWFORD.

† The portion omitted does not relate to the "Wave-breaker."

1875.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

NORTH SHORE GAS BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
8 *December*, 1875.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1875.

1875.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 4. FRIDAY, 19 NOVEMBER, 1875.

5. NORTH SHORE GAS BILL (*"Formal" Motion*):—Mr. Dibbs moved, pursuant to Notice,—
(1.) That the North Shore Gas Bill be referred to a Select Committee for consideration and report.
(2.) That such Committee consist of Mr. Abbott, Mr. Thomas Brown, Mr. Davies, Mr. Farnell,
Mr. Gray, Mr. Hill, Mr. Macintosh, Mr. Nelson, Mr. Teece, and the Mover.
Question put and passed.

VOTES No. 7. THURSDAY, 25 NOVEMBER, 1875.

3. NORTH SHORE GAS BILL:—Mr. Macintosh presented a Petition from Mr. William Tunks, Mayor
of the Borough of St. Leonards, praying that he may be heard before the Select Committee now
sitting on this Bill in opposition to the first section of the Bill.
Petition received.
Mr. Macintosh then moved, That the Petition be referred to the Select Committee, and that the
prayer of the Petitioner be granted.
Question put and passed.

VOTES No. 14. WEDNESDAY, 8 DECEMBER, 1875.

6. NORTH SHORE GAS BILL:—Mr. Dibbs, 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 19th November, 1875.
Ordered to be printed.

* * * * *

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1875.

NORTH SHORE GAS BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly to whom were referred, on 19th November, 1875,—“ *the North Shore Gas Bill*” and on the 25th November, 1875,—“ *the Petition of Mr. William Tunks, praying that he may be heard in opposition to the first section of the Bill,*”—beg to report to your Honorable House,—

That they have examined the witnesses named in the *List (whose evidence ^{See List, Page 5.} will be found appended hereto) and have heard the Petitioner against the first section of the Bill, and that the Preamble having been satisfactorily proved to your Committee they proceeded to consider the several clauses of the Bill, in which it was deemed necessary to make certain Amendments.

Your Committee now beg to lay before your Honorable House the Bill as amended by them.

• GEORGE R. DIBBS,
Chairman.

No. 3 Committee Room,
Sydney, 8th December, 1875.

PROCEEDINGS OF THE COMMITTEE.

WEDNESDAY, 24 NOVEMBER, 1875.

MEMBERS PRESENT:—

Mr. Dibbs,	|	Mr. Hill,
Mr. Macintosh,	|	Mr. Thomas Brown,
Mr. Farnell,	|	Mr. Abbott.

Mr. Dibbs called to the Chair.

Entry from Votes and Proceedings appointing the Committee *read* by the Clerk.

Printed Copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Committee deliberated.

Ordered.—That the Mayors of St. Leonards, East St. Leonards, Victoria, and North Willoughby be summoned to give evidence next meeting.

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

FRIDAY, 26 NOVEMBER, 1875.

MEMBERS PRESENT:—

Mr. Farnell,	|	Mr. Hill,
Mr. Macintosh,	|	Mr. Davies,
Mr. Nelson.		

In the absence of the Chairman Mr. Farnell called to the Chair, *pro tem*.

Entry from Votes and Proceedings,—referring Petition of William Tunks, Mayor of the Borough of St. Leonards, praying to be heard against the first section of the Bill,—*read* by the Clerk.

Resolved,—That the Petitioner be heard before the Committee.

Present,—Charles Watt, Esq. (*one of the Promoters of the Bill*.)

William Tunks, Esq. (*Petitioner against the first section of the Bill*.)

Charles Watt, Esq., examined.

William Goddard, Esq., called in and examined.

Witness withdrew.

Isaac Ellis Ives, Esq. (*Mayor of the Borough of Victoria*), called in and examined.

Witness withdrew.

William Dind, Esq. (*Mayor of the Borough of East St. Leonards*), called in and examined.

Witness withdrew.

William Tunks, Esq. (*Mayor of the Borough of St. Leonards*), examined.

Room cleared.

Committee deliberated.

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

TUESDAY, 30 NOVEMBER, 1875.

MEMBERS PRESENT:—

Mr. Farnell,		Mr. Davies.
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In the absence of a quorum the meeting called for this day lapsed.

FRIDAY, 3 DECEMBER, 1875.

MEMBERS PRESENT:—

Mr. Farnell,		Mr. Macintosh.
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In the absence of a quorum the meeting called for this day lapsed.

WEDNESDAY,

WEDNESDAY, 8 DECEMBER, 1875.

MEMBERS PRESENT:—

Mr. Dibbs in the Chair.

Mr. Farnell,
Mr. Thomas Brown,

Mr. Macintosh,
Mr. Gray.

Preamble considered.

Question,—That this Preamble stand part of the Bill,—put and passed.

Parties called in and informed.

Clause 1 read.

Amendment proposed (*Mr. Farnell*),—to insert at the end of the clause the words,—

“Provided also that nothing herein contained shall authorize or empower the said promoters to enter into or upon break up or disturb any highway street road or other public place or thoroughfare or place dedicated or used as aforesaid without the consent in writing of the Council of any Municipality Trust Commission or other body officer or person having the care management or control thereof.”

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

Committee divided.

Ayes, 2.

Mr. Farnell,
Mr. Macintosh.

Noes, 3.

Mr. Gray,
Mr. Thomas Brown,
Mr. Dibbs.

And so it passed in the negative.

Further amendment proposed (*Mr. Farnell*),—to insert at the end of the clause the words,—

“And provided also that the promoters shall give forty-eight hours notice in writing to the Municipality prior to the opening or breaking up as aforesaid of any street road pavement sewer drain or tunnel within the said Municipality.”

Amendment put and agreed to.

Clauses 1 to 10 read and agreed to.

Mr. Macintosh proposed the following new clause to stand as clause 8:—

“8. It shall be lawful for the Council of any before-mentioned Municipality at any time and from time to time to employ or authorize any competent person or persons to test any meter or meters used or supplied by the promoters for measuring gas to any person or body within such Municipality the Council giving twenty-four hours notice to the promoters of their intention to have the correctness or otherwise of such meters tested and the said promoters or either of them may be present at any such test or examination. And if it shall be found that any such meter is designedly made or constructed to register or does register the quantity of gas in excess of the quantity actually supplied through it the promoters shall forfeit and pay to the Council proving false registration of quantity as aforesaid the sum of ten pounds for every such meter—such fine or imposition to be applied for the benefit of the said Municipality to be recovered in a summary way before any two Justices in the nearest Petty Sessions according to the provisions of the Act fourteenth Victoria number forty-three and the Acts therein adopted.”

Question,—That the clause be inserted to stand as clause 8,—put.

Committee divided.

Aye, 1.

Mr. Macintosh.

Noes, 2.

Mr. Farnell,
Mr. Dibbs.

And so it passed in the negative.

New* clause to stand as clause 10 read and agreed to.

Chairman to report the Bill with amendments to the House.

* See Schedule of Amendments.

SCHEDULE OF AMENDMENTS.

Page 2, clause 1, insert the following words at the end of the clause,—

“And provided also that the promoters shall give forty-eight hours notice in writing to the Municipality prior to the opening or breaking up as aforesaid of any street road pavement sewer drain or tunnel within the said Municipality.”

Page 5, insert after clause 9 the following new clause to stand as clause 10:—

“10. The said promoters shall within two years from the passing of this Act erect suitable gas works and premises in one or other of the said Municipalities and manufacture gas otherwise the powers conferred by this Act shall cease and determine.”

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1875.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

NORTH SHORE GAS BILL.

FRIDAY, 26 NOVEMBER, 1875.

Present :—

MR. DAVIES,		MR. HILL,
MR. FARNELL,		MR. MACINTOSH,
	MR. NELSON.	

J. S. FARNELL, Esq., IN THE CHAIR.

Present in the Room :—

Charles Watt, Esq., one of the promoters of the Bill; and
William Tunks, Esq., a petitioner in reference to the Bill.

Charles Watt, Esq., examined :—

1. *Chairman.*] You have applied to Parliament for a Bill to empower Mr. James Walter Fell and yourself C. Watt, Esq. to construct Gas works within certain Municipalities at the North Shore? Yes.
2. You think it desirable that the inhabitants of the North Shore should have an opportunity of availing themselves of gaslight? Yes; I know a great number of the inhabitants of the North Shore are very desirous of having the gas laid on. Perhaps you will allow me to state that I am chemist to the Australian Gas Light Company, and one of the Directors of the Parramatta Gas Company, and of course that gives me some general knowledge of gas matters.
3. You have had large experience in the matter? Yes, for many years, both here and in England.
4. You propose to take authority under this Bill to lay down gas mains and pipes in the streets of the Municipalities mentioned? Yes; and you will find there that provision is made for the repair of the streets from time to time.
5. Have you communicated with the Municipalities interested in reference to the matter? Communications have been made with various gentlemen connected with the various Municipalities, and, as far as I have heard, they have all expressed themselves favourably to the undertaking.
6. What kind of communications—verbal or written? Some have been in writing, but they have been chiefly verbal.
7. You have complied with the Standing Orders in the usual way? Yes—by notifications in the *Government Gazette* and advertisements in the newspapers. I may say it is never customary to oppose applications for gas bills, except on behalf of competing Companies. It is always considered that gas is such an advantage to the public that the public has no object in opposing the establishment of gas works. The only opposition is from other Companies already occupying the ground, so that two or three Companies may not be cutting up the streets at the same time. Allow me also to mention that the Australian Gas Light Company can lay on gas at the North Shore at any time. Their Act enables them to supply gas to all the suburbs; but we have been informed by the Gas Company that it is not their intention to occupy that ground. They have recently established works at Balmain without any new Act at all, and could, if they pleased, do the same at North Shore under their existing Act.

- C. Watt, Esq. 8. You say that opposition is only given to Gas Bills by competing Companies. That is only so far as it affects the supply of gas I suppose—not in reference to cutting up the streets? I am speaking of course in reference to the supply of gas. It is done to prevent a great number of Companies cutting up the roads.
- 23 Nov., 1875. 9. Is that the reason? Yes; so that there may not be two or three sets of mains where one set would be sufficient.
10. Is not the opposition given for the purpose of preventing other persons from competing? Hardly that; because it is always found that the end of the competition is that there is an amalgamation of the Companies, and the public have to pay to the amalgamated body such prices as will cover the outlay on two sets of mains where one would have answered the purpose. That is the experience in England and Scotland; but independently of that, the public is largely interested in the streets not being cut up by two sets of mains.
11. Does this Bill provide efficiently for the reparation of the streets after the pipes have been laid down? It does. It is an exact copy of the Bathurst Gas Act in that respect. Clause 4 makes the necessary provision. (*Part of clause 4 read.*)
12. Is there any way by which any of the Municipalities can proceed against the Gas Company in the event of their neglecting to repair the streets? Yes, that is provided for in the latter part of the same clause (*Read.*) These are the usual requirements in these cases.
13. In the event of this Bill passing and your establishing Gas works at the North Shore, is there anything to prevent the Australian Gas Light Company from extending their operations to the North Shore? I cannot say that there is, but we have been informed by the Company that they have no intention of taking up that ground.
14. *Mr. Hill.*] Informed by letter? No; it was mentioned to the Secretary by one of the promoters. Before we took any steps we considered it our duty to inform the Company.
15. *Chairman.*] Is it your intention to confine your operations to the four Municipalities mentioned in this Bill? Yes, at present. If at any future time we want further powers we must apply to Parliament.
16. Let me call your attention to the proviso to the ninth clause which says, it shall be lawful for the Governor at any time by proclamation in the Gazette to order that the Act may be "extended to include any such other place or places as in such proclamation may be named and defined"? I suppose that is an usual provision, to meet the case of buildings being erected outside the Municipalities, the occupiers of which may be desirous of having the gas laid on.
17. You do not intend to go beyond the boundaries of the Municipalities? We have no such intention now.
18. But the Bill provides for it? The Bill appears to give to the Governor a power of extending the field of operations.
19. Would not that enable you to extend the operation of the Act to Sydney itself? I should think not. At all events we could not carry the gas under the harbour. I imagine the proviso, which is copied with the rest of the Bill, from the Bathurst Gas Act, is intended merely to give power to the Governor to extend our powers to such places beyond the boundaries of these Municipalities, as we could extend our mains to when it became necessary or convenient. At present the intention of the promoters is merely to establish Gas works at the North Shore, and for many years to come we shall not be in a position to desire any extension of our field of operations; but this proviso would meet the case of a few houses outside the boundary. It could only apply where the mains could be laid as continuations. I am quite willing to alter the wording if it be thought desirable. We should not like to feel ourselves shut off from supplying such outlying houses as I have alluded to, if our mains were brought to the boundary of the Municipality.
20. I think you have stated that this Bill is similar to the Bathurst Gas Act? Yes; I think it is an exact copy.
21. Is there a proviso such as this in that Act? Yes; precisely the same. (*Bathurst Act referred to.*) This Bill is substantially the same as the Bathurst Gas Act; and I think the Parramatta Act is fully as wide; and the Newcastle and Maitland Acts also.
22. *Mr. Macintosh.*] In return for the privileges proposed to be conferred by this Bill, do the promoters propose to limit their charges for gas supplied to the inhabitants? We do not propose to limit them by Act of Parliament, but we have stated our intention to charge the same price as is charged at Balmain.
23. Are you aware that the charges for gas in this Colony are beyond what prevail in other countries where coals are at similar rates? I am aware of the prices of gas, I think I may say almost all over the habitable globe. The price of coal has not much to do with the price of gas; it is the price the coke fetches that has more to do with it—the price the Gas Companies can obtain for their residual products. In some parts of the world the coke will fetch almost as great a price as the original coal cost. Here, especially in small works, we should have little or no coke to sell. In small works it will take 70 per cent. nearly of our coke to make the gas.
24. You seek certain privileges to secure a return for your investment, and the result may be that in a short time a practical monopoly may arise there? No, it cannot.
25. So that if the charges are beyond what prevail in other countries there may be no remedy. Take street lamps for instance. I think there are few countries where they are charged for at more than £4, but in Sydney, street lamps cost £7 or £8? If you investigate the matter you will find that there are very good reasons for the difference. All the plant has to be brought from Europe and laid down at the high price of Colonial labour. The population in Europe is much thicker, and there are a greater number of consumers within a similar space. These things, and especially the price to be got for the coke, tell very heavily on the price of gas.
26. Can you inform the Committee what is the usual price for street lamps, and the price obtained for the coke in Victoria? I cannot just now; but I have ascertained the prices of gas at some places in Victoria, and found they were above what prevail in this Colony. But that must entirely depend upon the population—upon the number of consumers within a certain locality.
27. Does not the price of gas depend more upon the facilities for competition or non-competition? No; it has been found all over the world that, wherever there has been competition, ultimately the public has had to pay more for gas. Where two Companies have occupied the same district, have laid down double sets of mains, and afterwards have found it necessary to combine, the public have had to pay a price that would give interest upon the outlay of both Companies.
28. It seems you propose no limit to the charges you can make? Not in the Bill. We shall of course be limited practically to what the public will pay. Our price at Parramatta is 14s. 6d.; the price at Maitland

ON THE NORTH SHORE GAS BILL.

land is now, I think, 12s. 6d., but it was, I think, 15s. The price we propose to charge is, I think lower, C. Watt, Esq. or at least not higher, than the Newcastle price.

29. Are you not aware that the price of gas per thousand in older cities is about 3s. 6d. or 4s. 6d.? In 26 Nov., 1875. some it is 4s. 6d., 4s. 8d., 4s., 5s., but the coke is so valuable in some places that it pays all the expenses of the coal, and here it can hardly be got rid of at all.

30. *Mr. Tunks.*] You have stated that you have some acquaintance with the Australian Gas Light Company? I merely say I am an officer of the Company.

31. It has been in existence for many years? Yes.

32. And so far as you know it has worked satisfactorily? I should take it I am not here to be examined with reference to the Australian Gas Light Company.

33. Reference has been made to several Gas Companies, and I want to know from you whether that is one to which you allude—the Australian Gas Light Company's Act? I made only the allusion to it, and that is, that that Company have the power I believe to lay on gas at the North Shore at the present time. That was the only allusion I made to that Company.

34. Has the practical engineering of the Australian Gas Company come in any way under your notice? No; I am chemist to the Company.

35. You know nothing at all about it? I will not say that. I am chemist to the Company, but I am not here to be examined upon anything with reference to that Company.

36. Then you decline to answer? I object to answer any question with reference to the Australian Gas Company. By a side wind some statement might be got out of me in reference to the Company which I might make hastily, wishing to give information, and I do not know what it might lead to. I know so much trouble has fallen upon people in that way that I object to be asked questions that may lead me into that position.

37. I think you have told the Committee that the provisions of these Bills are generally copies of one another? Yes.

38. Have you ever read the Australian Gas Light Company's Bill? I have taken it up and read it as I wanted it at different times, but I have never taken it up and read it through to make a study of it.

39. Have you ever read the Maitland Bill? I have; but I will not say I recollect all its provisions. I have read through latterly the Parramatta and the Bathurst Acts. With reference to the North Shore, if there is any difficulty thrown in the way I do not feel at all wedded to the thing. We have had another invitation to go somewhere else, and if I thought there was any real opposition I should be ready to withdraw from that locality.

40. I think you have told me you do not know anything about the engineering department of the Australian Gas Company? I have not said that; I do not think such a question should be put to me. I may mention as a matter of fact that if there was likely to be any delay any amount of petitions would be sent from the North Shore in favour of the Bill.

41. You believe the people of the North Shore are generally favourable to the establishment of a Gas Company there? Yes, I am sure of it.

William Goddard, Esquire, called in and examined:—

42. *Chairman.*] You appear here to give evidence in reference to the North Shore Gas Bill? Yes.

43. *Mr. Watt.*] Do you think the inhabitants of the North Shore are desirous of having a supply of gas? Decidedly they are.

W. Goddard,
Esq.

44. Do you think that is the general feeling? Yes.

26 Nov., 1875.

45. Do you know of any interest it would do any injury to? No.

46. There is no fear of any nuisance of any kind arising from the establishment of Gas works? No; it is a decided privilege as far as I know.

47. The people would rather have lighted streets than walk about in the dark? Yes.

48. Are the streets in the various Municipalities on the North Shore in such very good condition that laying down gas pipes would be likely to injure them? It might assist to form them. They are not even formed in many cases at present.

49. Have you had any conversation with persons residing at the North Shore which would lead you to believe that the residents there would like to have gas laid on? I have. Those round about me are all willing to take it.

50. *Chairman.*] You reside at the North Shore? Yes.

51. And you are acquainted with a large number of people over there? Yes, a very large number.

52. Some of the streets of some of the Municipalities mentioned in the Bill are formed, are they not? Yes.

53. *Mr. Nelson.*] Will it be a general public convenience to have the Gas works erected? I think decidedly so.

54. *Mr. Tunks.*] You said the streets were not very well formed? I spoke in reference to the borough in which I reside—East Leonards, about Kirribili Point.

55. You are aware that the Bill proposes to extend over all of them? I am not aware of it, but I hope so.

56. Is it possible the streets may become in a better state than they are now? That also I hope will be the case.

57. About how many persons are there in the Municipality in which you reside? I suppose about 2,500 in East St. Leonards.

58. How many were there at the last Census? We have doubled since that, whatever it is.

59. Has any effort ever been made to gather the sense of the people of North Shore on this matter? No, excepting personal efforts.

60. *Mr. Nelson.*] By residents of the North Shore? Yes.

61. *Mr. Macintosh.*] Do you think the Company ought to be limited as to their charges? The promoters, I understand, have stated that they will make a specified charge.

62. Do you believe that promise to be binding? I do. I will not lay it on to my house, at all events, unless it is carried out.

63. If certain privileges are conferred on the promoters of this Bill, do you not think the public generally should be protected from overcharge, seeing that in order to make use of the gas they will have to put up expensive appliances in their houses? I do not think the promoters would incur the risk of laying down pipes in a rough country like the North Shore unless they were inclined to be reasonable, and meet the wishes of the people.

- W. Goddard, Esq. 64. You believe they would endeavour to lessen the cost as much as possible, in order to increase consumption? Yes. It will cost them more to lay down the pipes than at Balmain, and they agree to supply the gas at the same price.
- 26 Nov., 1875. 65. That is not in the Bill? I do not speak from any knowledge of the Bill.
66. Do you think it would be a good thing to have a schedule of prices attached to the Bill, that they should not exceed? Personally I do not think so.

Isaac Ellis Ives, Esq., called in and examined:—

- I. E. Ives, Esq. 67. *Chairman.*] You are a resident at the North Shore? Yes.
68. Are you the Mayor of a Municipality? Yes, I am Mayor of the Borough of Victoria.
- 26 Nov., 1875. 69. You are aware that Mr. Watt and Mr. Fell have applied for a Bill to empower them to establish Gas works on the North Shore? Yes.
70. Has your Municipality any objection to it? No, we are in favour of it.
71. Are the people, generally, on the North Shore in favour of the establishment of Gas works? I have not heard one person speak otherwise; they are all in favour of it; in fact all the large houses in our Municipality have guaranteed to take the gas as soon as it is laid on.
72. Would the Municipality establish lights if the Gas works were established? The Council was unanimous in saying they would take twenty lights at first.
73. Have you any objection to the establishment of these Gas works on the ground that the streets would have to be broken up for the purpose of laying down the pipes? None whatever. In fact it is only within the last year or two the streets have been made at all.
74. *Mr. Nelson.*] Would the erection of Gas works and the supply of gas be a public convenience? Most decidedly.
75. *Mr. Macintosh.*] Has your corporation been addressed as a body on this matter by the promoters? Yes; the matter was considered in the Council, and a resolution was minuted to the effect that they would take twenty lights as soon as the gas could be supplied. This was intimated to the promoters by letter by the Council Clerk in the usual way.
76. Would you expect the Gas Company, if established, to put up the lights where you directed them? Yes; it is understood that they should be placed upon the principal street requiring them, the main road from the ferry at Blue's Point to the boundary of our Municipality at the School of Arts.
77. Would it not be better that you should have some control over the Company, that they should extend their lights a reasonable distance? The Council thought they would see how far the twenty lights would go, but in all probability we shall require twenty-five or thirty, and have them put where we wish.
78. *Mr. Tunks.*] Have you seen this Bill? No.
79. Laying down the pipes would have a considerable effect upon the streets? Not more than other Gas Companies.
80. They would be digging up the streets continually? I think the benefit derived is greater than the disadvantage. If the Bill is the same as any other Bill of the same kind they will have to leave the streets in the same condition as they found them, I should imagine. I think, looking at the fourth clause of this Bill, it will be sufficient to provide for that.

William Dind, Esq., called in and examined:—

- W. Dind, Esq. 81. *Chairman.*] You are Mayor of a Municipality at the North Shore? Yes; of East St. Leonards.
- 26 Nov., 1875. 82. Are you aware that Mr. Watt and Mr. Fell are applying to Parliament for an Act to establish Gas works at the North Shore? Yes.
83. Has the matter been considered by the Municipality of which you are Mayor? It has.
84. And is your Council favourable to the establishment of Gas works? They are.
85. Do the Municipality make any objection to the Bill upon the ground that the streets will have to be broken up for the purpose of laying down the gas-pipes? Not if it is done under the supervision of the Municipality in which the pipes are laid. They should see that it is done properly. I do not think the Municipality would allow the gas promoters to cut up the streets unless they put them in proper order after they had laid down the pipes.
86. If there is a clause in the promoters' Bill that provides for that you would have no objection? No.
87. Do you think the people generally of the North Shore are favourable to the erection of Gas works there? I do.
88. It would be a great convenience to the inhabitants? Yes.
89. Has your Municipality had any communication with the promoters in reference to the establishment of Gas works? Yes; we have agreed to take a certain number of lights.
90. *Mr. Macintosh.*] You were at one time resident in Sydney? Yes.
91. Do you think the Gas Company in Sydney have generally been careful in repairing the streets after they have cut them up—have you not seen ridges and hollows left? I have seen the streets cut up, but I do not know whether it was for gas or water pipes. If it comes wet weather just after a trench has been filled up it will be sure to fall in a little; but that may be from laying water-pipes as well as gas.
92. Can you say whether, when a gas main has been laid down in a street, it has always appeared afterwards in the same state as before? I could not say. It takes some time to do away with the marks of it, perhaps not till they re-metal the streets; it takes time to put fresh metal on and get the street in proper repair. But I think in our Municipality, where there is not so much traffic, any difficulty on that score could be obviated by the officers of the Municipality seeing it properly done.
93. *Mr. Watt.*] Are the streets in your Municipality metalled? A great portion of them, but not all. The metal is not good metal I regret to say.
94. *Mr. Tunks.*] From your long service in the Municipality you have become acquainted with the fact that it is very expensive to make roads. Have you taken any account what it would cost to metal a mile of road on the North Shore with blue metal? We have never metalled the roads with blue stone, but I think it would cost about 13s. a yard.

95. Have you looked at the first clause of the promoters' Bill,—that they should be fully authorized to cut up the streets without asking the Municipality anything about it? I think there ought to be a clause to prevent them doing it without getting permission. W. Dind, Esq.
26 Nov., 1875.
96. You would recommend that that should be introduced into the Bill? I think so; if they cut up one road they should be compelled to put it in proper order.
97. *Mr. Nelson.*] Do you not think the advantage and convenience to the public generally will quite equal any disadvantage? Yes, I think so, because the disadvantage can be remedied by their being compelled to put the streets in order again as soon as practicable.
98. *Mr. Tunks.*] Every day almost afterwards connections are made with houses which cuts up the road all to pieces? Of course it does take a certain time to get the road reformed and brought into the same state as before.
99. Have you considered the question whether the laying down of two pipes, one on each side of the road, would not obviate a large amount of the damage done in that way? I think if one pipe sufficiently large were put in the centre of the road there would not be so much cutting up as in opening both sides of the road to lay down two pipes.
100. They would be out of the way of the traffic? If you put the pipe in the crown of the road it would not interfere with the traffic so much as at the sides.

William Tunks, Esq., examined:—

101. *Chairman.*] You are Mayor of St. Leonards? Yes.
102. You have petitioned to be heard in reference to the Bill introduced by Mr. Watt and Mr. Fell? Yes, in reference to it, but not in opposition to it.
103. And you are desirous of giving evidence? Yes.
104. Will you state to the Committee whatever you may desire to say in reference to the Bill? I do not object to the supply of gas to the North Shore, nor do I believe the inhabitants do. I object to the condition in clause one, which enables the promoters, without consulting the Municipal Councils, to make such works, cut up the streets, and do all manner of things. I object to it because it is a departure from well established law in this Colony, which goes to make provision that these things shall be done with the concurrence of the persons legally in charge of the roads. For instance, in the Australian Gas Company's Act and in the first Maitland Gas Company's Act there are clauses which render it necessary for the promoters or the Company to have the concurrence, in writing, of the persons charged with the care, construction, and management of the roads. I do this also because with our limited means it is very expensive to make roads. In our Municipality on the North Shore at present there is about a mile of the main road under the control of the Government, and it is supposed that they will shortly cover this with a coating of blue stone. If the centre of the road is covered for a width of 18 feet the stone alone will cost £1,320;—a yard cube of broken metal to a yard lineal 18 feet wide, at 15s. a yard, will cost £1,320. If this same road is gravelled the remainder of the width it will cost £293 at current rates, making a total cost of £1,613 a mile. If we go on as in Sydney to metal the road all over, 3,520 yards at 15s. will cost £2,640. This comes to be a very serious matter for these small corporations, and it is only in that view that I come here to day, to see whether some plan cannot be adopted to render it necessary for the promoters to consult the persons in legal charge of the roads how to carry on their operations. At present a pipe might be placed in the centre of the road and not do much damage, but if population increases, and these people get possession, and have their pipes always in the centre, they will do much injury to the road. It is useless to say they can repair it; I have been roadmaking for many years, and I know it cannot be done. Pipes are to one another as the square of their diameter, and two 6½-inch pipes at the sides of the road could be just as cheap as one 9-inch pipe in the centre, and every householder would have 20 feet of service-pipe saved; in each case that would be 25s., or that amount approximately would be saved in laying on the gas to each consumer, either to the householder or the promoters. Another thing is that you cannot repair a road once it is cut up in our district, in the same way as in some other places. Our district is very hilly, and in order to run the water into the gutters at the sides of the road, the incline from the centre must be greater than the incline in the direction of the road, or the water would rush down in the line of the road. That brings the traffic on to the centre of the road, and not on to the sides at all. Our roads are two feet higher in the centre than in the gutters. I see that in the Bill the proviso is left out, which should come in at line 23, and is to the following effect:—"nor for the like purpose to enter into or upon, break up, or disturb any street or place dedicated or used as such, without the consent first obtained in writing of the Council of any Municipality, trust, commission, or other body, officer, or person having the care, construction, management, or control thereof." That is omitted from the Bill.
105. *Mr. Nelson.*] If that is included in the Bill your objection will be obviated? Yes.
106. *Chairman.*] As Mayor of a Municipality I understand you do not object to the establishment of Gas works at the North Shore? No.
107. And you have no objection to this Bill if that proviso is introduced? No.

Wm. Tunks,
Esq.
26 Nov., 1875.

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

BATHURST MARKETS AMENDMENT
BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
17 *March*, 1876.

•SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1876.

1875-6.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 54. TUESDAY, 7 MARCH, 1876.

8. BATHURST MARKETS AMENDMENT BILL (*"Formal" Motion*):—Mr. Driver moved, pursuant to Notice,—
- (1.) That the Bathurst Markets Amendment Bill be referred to a Select Committee for consideration and report.
- (2.) That such Committee consist of Mr. Robertson, Mr. Farnell, Mr. Cameron, Mr. Day, Mr. F. B. Suttor, Mr. Pilcher, Mr. W. H. Suttor, Mr. W. C. Browne, Mr. Montague, and the Mover.
-

VOTES No. 61. FRIDAY, 17 MARCH, 1876.

4. BATHURST MARKETS AMENDMENT BILL:—Mr. Driver, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and of Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 7th March, 1876.
Ordered to be printed.
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1875-6.

BATHURST MARKETS AMENDMENT BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on 7th March, 1876,—the “*Bathurst Markets Amendment Bill*,”—beg to report to your Honorable House:—

That they have examined the witness* named in the margin (whose evidence will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the several clauses and the schedule of the Bill, in which it was not deemed necessary to make any amendment.

*Edmund
Webb, Esq.

Your Committee now beg to lay before your Honorable House the Bill with a verbal amendment in the Title.

RICHARD DRIVER,
Chairman.

*No. 2 Committee Room,
Sydney, 17th March, 1876.*

PROCEEDINGS OF THE COMMITTEE.

WEDNESDAY, 15 MARCH, 1876.

MEMBERS PRESENT:—

Mr. Driver, | Mr. Farnell,
Mr. Montague.

Mr. Driver called to the Chair.

Entry from Votes and Proceedings appointing the Committee *read* by the Clerk.

Printed copies of the Bill referred, and original Petition to introduce the same, before the Committee.

Committee deliberated.

Ordered,—That Edmund Webb, Esq., be summoned to give evidence next meeting.

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

FRIDAY, 17 MARCH, 1876.

Edmund Webb, Esq. (*Mayor of Bathurst*), called in and examined.

Witness withdrew.

Preamble considered.

Question,—“That this Preamble stand part of the Bill”—put and passed.

Clauses 1 to 15 *read* and *agreed to*.

Schedule *read* and *agreed to*.

Title read, verbally amended,* and *agreed to*.

Chairman to report the Bill to the House with a verbal amendment in the Title.

SCHEDULE OF AMENDMENT.

Page 1, Title. *Omit* the words “intituled an Act” in lines 2 and 3.

*See Schedule of Amendment.

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

BATHURST MARKETS AMENDMENT BILL.

FRIDAY, 17 MARCH, 1876.

Present:—

MR. W. C. BROWNE,
MR. DRIVER,MR. FARNELL,
MR. MONTAGUE.

RICHARD DRIVER, ESQ., IN THE CHAIR.

Edmund Webb, Esquire, called in and examined:—

1. *Chairman.*] You are Mayor of the Borough Council of Bathurst? I am.
2. How long have you been a resident of the district of Bathurst? Thirty-six years.
3. You have paid some attention to the working of the Borough Council of Bathurst? Yes.
4. Are you aware of the objects of the Bill now before this Committee? Yes.
5. The Bill is promoted by the Borough Council? Yes.
6. Have you a market-place in the town of Bathurst? Yes, we have a hay market and a general market. We have spent about £6,000 in the erection of the building for the general market, towards which we borrowed £4,000.
7. Have you any power to charge and enforce the payment of fees and dues on the sale of provisions? No, we have not, the Market Act being inoperative in Bathurst, according to the opinion of counsel. We have attempted to enforce the fees on several occasions, but have always failed.
8. Has your attention been drawn to the provisions of the Bathurst Cattle Sale Yards Act? Yes; there is no provision in that Act by which we can enforce payment of fees, although we are authorized to charge them. Counsel have advised us to get the necessary powers.
9. Is it, in your opinion, desirable to provide for the recovery of these fees? Yes; we want to establish the yards for the sale of stock, and we cannot do so without power to enforce the fees.
10. In your opinion would it be for the interests of the residents of Bathurst that this Bill should pass? Most decidedly, I think. This Bill has been prepared by our solicitor to give us similar powers to those contained in the old Market Act—to collect fees.
11. Without such a Bill it would be almost impossible for the Borough Council to carry out either of the objects that have been referred to? We cannot carry them out. They are a dead letter, and we cannot give licenses to people to hawk, because that is contrary to the Hawking Act.
12. Do you desire to make any statement to the Committee with reference to the Bill other than you have done? The only statement I have to make is to the effect that unless we get power to collect these dues we cannot find the necessary accommodation for the sale of cattle, nor have we any means by which to pay the heavy debt that has been incurred in erecting the market buildings. We have tested several cases before the Bench of Magistrates and always failed; and we have taken the opinion of counsel, on one or two occasions I think—at all events on the last occasion we had Mr. Darley's opinion, endorsing the opinion of the magistrates, that we could not recover the rates unless the powers of the old Market Act were conferred upon the Municipal Council—that is, that the same powers that are there given to the Market Commissioners should be given to the Municipal Council by special enactment. He states that the provisions of that Act are inoperative in Bathurst, inasmuch as the markets have been handed over to the Municipal Council, and the Municipal Council are not Market Commissioners within the meaning of the Act. This Bill is intended to give us the powers held by these Commissioners.

E. Webb, Esq.
17 Mar., 1876.

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON

HANSON'S TRUST BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
19 April, 1876.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER,

1876.

1875-6.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 74. WEDNESDAY, 12 APRIL, 1876.

10. HANSON'S TRUST BILL ("*Formal*" *Motion*):—*Mr. Leary*, on behalf of *Mr. Stephen Brown*, moved, pursuant to Notice,—
- (1.) That Hanson's Trust Bill be referred to a Select Committee for consideration and report.
 - (2.) That such Committee consist of *Mr. Farnell*, *Mr. Terry*, *Mr. Moses*, *Mr. Leary*, *Mr. Hill*, *Mr. T. G. Dangar*, *Mr. Clarke*, and the Mover.
- Question put and passed.
-

VOTES No. 77. WEDNESDAY, 19 APRIL, 1876.

3. HANSON'S TRUST BILL:—*Mr. Stephen Brown*, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 12th April, 1876, together with Appendix. Ordered to be printed.
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1875-6.

HANSON'S TRUST BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly for whose consideration and report was referred, on 12th April, 1876,—“*Hanson's Trust Bill*,”—beg to report to your Honorable House:—

That they have examined the witness* named in the margin (whose evidence will be found appended hereto), and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the several Clauses of the Bill, in which it was not deemed necessary to make any Amendment.

Your Committee now beg to lay before your Honorable House the Bill without Amendment.

No. 1 Committee Room,
Sydney, 19th April, 1876.

S. C. BROWN,
Chairman.

PROCEEDINGS OF THE COMMITTEE.

WEDNESDAY, 19 APRIL, 1876.

MEMBERS PRESENT:—

Mr. Farnell,

Mr. Leary.

Mr. Stephen Brown,

Mr. Stephen Brown called to the Chair.

Entry from Votes and Proceedings appointing the Committee *read* by the Clerk.

Printed copies of the Bill referred, and original Petition to introduce the same, before the Committee.

Present,—George William Graham, Esq. (*Solicitor for the Bill*).

George W. Graham, Esq., examined.

Witness *produced* Probate of the Will of Samuel Hanson, also Probate of the Will of Alexander Charles Hanson, also the Deed of Appointment of new Trustees under Mr. A. C. Hanson's Will.

Room cleared.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Solicitor called in and informed.

Bill *read* and *agreed to*.

Chairman to report the Bill without amendment to the House.

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON

HANSON'S TRUST BILL.

WEDNESDAY, 19 APRIL, 1876.

Present;—

MR. STEPHEN BROWN, | MR. FARNELL,
MR. LEARY.

STEPHEN BROWN, ESQ., IN THE CHAIR.

George William Graham, Esq., appeared as Solicitor for the Promoters of the Bill.

George William Graham, Esq., examined:—

1. *Chairman.*] You are the Solicitor for the Petitioner for the Bill? I am.
2. Do you produce the will, or probate of the will of Samuel Hanson, dated 1st August, 1847? I do. (*The witness produced the same.*)
3. You are married to a daughter of Mr. Hanson? I am.
4. Were you married in his life-time? No, subsequently to his death.
5. Were you married in the life-time of Mrs. Hanson, the widow? I was.
6. How many children are there living? Mrs. Josephson (Juliet), Lavinia, my wife (Clara), Alcander Charles, Albert and Eliza.
7. When did Mr. Hanson die—that is Joseph Samuel Hanson? 7th June, 1852.
8. Do you know the property at Newtown mentioned in the Bill? I do; but this Bill is not only in relation to the property at Newtown, but in relation to the properties all through the Colony.
9. Is Alcander Charles Hanson alive? No.
10. When did he die? He made his will on the 4th January, 1870, and died on the 29th May, 1873.
11. Do you produce the probate of the will of Alcander Charles Hanson? I do. (*The witness produced the same.*)
12. Prior to the death of Mr. A. C. Hanson were there any attempts made to sell the property at Newtown with his consent? Yes, and we sold some with his consent and he signed the deed.
13. Do you know from him that it was his wish that the property should be sold? Yes.
14. What does the property consist of? I can hardly tell you that.
15. At Newtown? Five acres, three roods, and some odd perches.
16. The greater part is vacant land, with some old buildings on it? Yes.
17. Would it be for the benefit of everybody that the land should be sold and the proceeds invested? Yes.
18. Does the land, as it at present exists, bring anything like the rental or returns it ought to do from its value? No, it does not.
19. About what would be the value of the land at Newtown, if sold? £12,000.
20. What is the present rental of it? £1 a week.
21. Do you produce the deed of appointment of new trustees, under Mr. A. C. Hanson's will? I do. (*The witness produced the same.*)

G. W.
Graham, Esq.
19 April, 1876.

- G. W. Graham, Esq.
19 April, 1876.
22. Are there any properties in which Mr. A. C. Hanson is interested; other than the property at Newtown? Yes, in the city of Sydney there are several properties.
23. Do the other members of the family wish to sell these properties? Yes, they are desirous of selling.
24. Had you any conversation at all with Mr. Hanson before his death, as to whether he was willing to join in selling these properties? Yes; at one time he expressed his extreme desire they should be sold and the money invested for his children, just before his death.
25. Do you not know that it was by mere mistake that the power to sell was not given in his will? I am sure it was.
26. *Mr. Farnell.*] Is this property entailed? No.
27. *Mr. Leary.*] Have you had any conference with every member of the family? I have.
28. *Chairman.*] Is this Bill brought in at the request of all the remaining members of the family? It is.
29. Including the widow and trustees of the late A. C. Hanson? Yes; I have the written authority of the trustees of A. C. Hanson's will.
30. *Mr. Leary.*] Without this Bill the land could not possibly be sold? No.
31. *Chairman.*] It is for the benefit of all the family, and with the consent of all, that the property should be sold? Yes.
32. *Mr. Leary.*] And provision is made for the protection of all purchasers, and to invest according to the trusts of the will? Yes.

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON

NEVELL'S LEASING BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
28 *April*, 1876.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1876.

1875-6.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 80. TUESDAY, 25 APRIL, 1876.

9. NEVELL'S LEASING BILL ("*Formal Motion*") :—Mr. Farnell moved, pursuant to Notice,—
- (1.) That Nevell's Leasing Bill be referred to a Select Committee for consideration and report.
 - (2.) That such Committee consist of Mr. Terry, Mr. Moses, Mr. W. H. Suttor, Mr. Scholey, Mr. Leary, Mr. T. G. Dangar, Mr. Jacob, Mr. Abbott, Mr. Day, and the Mover.
- Question put and passed.

VOTES No. 83. FRIDAY, 28 APRIL, 1876.

5. NEVELL'S LEASING BILL :—Mr. Farnell, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 25th April, 1876, together with Appendix. Ordered to be printed.

* * * * *

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1875-6.

NEVELL'S LEASING BILL.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on 25th April, 1876,—“*Nevell's Leasing Bill*,”—beg to report to your Honorable House,—

That they have examined the witnesses named in the List* (whose *See List, page 4. evidence will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the several Clauses of the Bill, in which it was deemed necessary to make certain amendments.

Your Committee now beg to lay before your Honorable House the Bill as amended by them.

JAMES S. FARNELL,

Chairman.

No. 2 Committee Room,

Sydney, 28th April, 1876.

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 28 APRIL, 1876.

MEMBERS PRESENT :—

Mr. Farnell,	|	Mr. Terry,
Mr. T. G. Dangar,	|	Mr. Scholey.

Mr. Farnell called to the Chair.

Entry from Votes and Proceedings, appointing the Committee, *read* by the Clerk.

Printed copies of the Bill referred, and original Petition to introduce the same, before the Committee.

Present,—Henry Dyer Maddock, Esq. (*Solicitor for the Bill*).

Mr. John Percy Scarr called in and examined.

Witness *produced* certified copy of the Will of John Nevell, with Plan of the Lands described in the Preamble annexed thereto, and *handed in* a letter of Joseph Nevell to Messrs. Want & Johnson, in reference to the state of his family, which was ordered to be appended. (*See Appendix A.*)

Witness withdrew.

Henry Dyer Maddock, Esq., examined.

Room cleared.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Solicitor called in and informed.

Clause 1 *read*, amended,* and *agreed to*.

Clause 2 *read* and *agreed to*.

Chairman to report the Bill with amendments to the House.

*See Schedule of Amendments.

SCHEDULE OF AMENDMENTS.

Page 2, Clause 1, lines 20 and 21, *Omit* the words “forty-two years or for twenty-one years with a power of renewal for a further like period of twenty-one,” and *insert* instead thereof the words “ninety-nine.”

Page 3, Clause 1, lines 10 and 11, *Omit* “or renewal of lease.”

Page 3, Clause 1, lines 14 and 15, *Omit* “or renewal of lease.”

Page 3, Clause 1, lines 20 and 21, *Omit* “or renewals of leases.”

LIST OF WITNESSES.

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1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON

NEVELL'S LEASING BILL.

FRIDAY, 28 APRIL, 1876.

Present:—

MR. T. G. DANGAR,
MR. FARNELL,MR. SCHOLEY,
MR. TERRY.

JAMES S. FARNELL, ESQ., IN THE CHAIR.

H. D. Maddock, Esq., appeared as Solicitor for the Bill.

Mr. John Percy Scarr examined:—

1. *Mr. Maddock.*] You are clerk to Messrs. Want, Johnson, and Want? I am.
2. Do you produce a certified copy of the last will and testament of John Nevell, late of Carwell, in the district of Mudgee, in the Colony of New South Wales, farmer, bearing date 23rd of August, 1851? I do. *(The witness produced the same.)* Mr. J. P. Scarr:
3. Do you also produce a letter written by Joseph Nevell, one of the Petitioners, dated 24th March, 1876, addressed to Messrs. Want, Johnson, and Want, disclosing the state of his family? Yes, I do. *(The witness handed in the same. Vide Appendix A.)* 28 April, 1876.
4. *Chairman.*] You see the Bill before the Committee? Yes.
5. Just look at the preamble of the Bill. Is that in accordance with the will? It is, as far as I know.
6. It is a correct copy? I have not examined it, but I have read the will, and from what I remember it is.
7. It recites the will correctly? Yes, as far as I know.

Henry Dyer Maddock, Esq., examined:—

8. *Chairman.*] Is there any power under this will by which this land can be leased? There is a power, but it extends only to five years.
9. Then in the interest of the Nevell family is it necessary to enable them to give a longer tenure? Yes.
10. It has been found that they cannot lease this land profitably under the powers given to the family under the will? It has.
11. That is as to the term? Yes.
12. What is the nature of this land? Cinnabar has been found there in large quantities.
13. It is mineral land? It is.
14. Do you know whether any persons are in negotiation with the Nevells in reference to the leasing of this land? Yes.
15. Would it eventually be for the interest of the children who are to take, under this will, after the death of the father? Yes, and the mother has a life interest also.
16. *Mr. Terry.*] It would be to her interest too? It would, because during her life she would enjoy her income.
17. *Chairman.*] Does this land at the present time bring in any income or not? Yes, it does.
18. Would that income be very much increased by the parties having power to give longer leases? Yes, it would.

H. D.
Maddock,
Esq.
28 April, 1876.

H. D.
Maddock,
Esq.
28 April, 1876.

19. The letter you have handed in, I think, contains the number and the names of the children interested under the will? It does. Under the will the widow has a life interest in the property. After her death it reverts to her son, Joseph Nevell, for his life, and after his death it goes to the children equally.
20. Is it entailed property? No; it is just the ordinary devise. After the death of Joseph Nevell it goes to all his children living at the time of his decease, share and share alike.
21. There can be no doubt it will be beneficial to the family to empower them, as you propose to do by this Bill, to give longer leases? No.
22. Could this land be profitably worked as mineral land unless they had the power to give long leases? Certainly not.
23. *Mr. Terry.*] I suppose they intend to lease it to a Company? Yes.
24. *Chairman.*] I presume you have examined the preamble to this Bill, and can state that it is a correct recital of the will? It is a correct recital of the will.
25. Where is this property situated? On the Cudgegong River, county of Roxburgh, and is known as Oakborough.
26. *Mr. Dangar.*] Is it the desire of all interested under this will that this Bill should be brought in? It is; the widow has a life interest in the estate—she is still living; after her death it reverts to Joseph Nevell, and after his death to his children.
27. What is the object of this will if the property is not entailed? Because under the will there is no power to lease for a longer term than five years.
28. Are you in any way connected with the family? Not the slightest.
29. Have you had any conference with the family? I had with Joseph Nevell some time ago.
30. Is it the desire of the widow of Joseph Nevell? Yes, she signed the petition.
31. Is that before us? Yes.
32. What is the object of making these leases for forty-two years—is not that an unusual thing—are not leases generally given for twenty-one or for ninety-nine years? It is not very unusual; I have often seen it in Acts giving leasing powers.
33. *Mr. Terry.*] Why not make it ninety-nine years at once? We have no objection—not the slightest; but the notice having appeared for forty-two years, we thought it would be better to alter it in Committee.

APPENDIX.

[To the Evidence of Mr. John P. Scarr, 28 April, 1876.]

A.

Mr. Joseph Nevell to Messrs. Want & Johnson.

Bothero, 24 March, 1876.

Dear Sirs,

I received yours of 16th instant, and enclose a list of my family.

Yours truly,
JOSEPH NEVELL.

Jane, born 24th February, 1862.
Elizabeth Ann, born 29th May, 1864.
George Wallace, born 29th May, 1866.
Joseph Thomas, born 17th November, 1870.
Henry Vincent, born 23rd May, 1872.

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON THE

MURRUMBIDGEE TURF CLUB BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

MINUTES OF EVIDENCE.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
19 *April*, 1876.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1876.

1875-6.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 63. WEDNESDAY, 22 MARCH, 1876.

4. MURRUMBIDGEE TURF CLUB BILL (*"Formal" Motion*):—Mr. H. C. Dangar moved, pursuant to Notice,—
- (1.) That the Murrumbidgee Turf Club Bill be referred to a Select Committee for consideration and report.
- (2.) That such Committee consist of Mr. Stephen Brown, Mr. Day, Mr. Driver, Mr. Farnell, Mr. Hill, Mr. Moses, Mr. F. B. Suttor, and the Mover.
- Question put and passed.
6. MURRUMBIDGEE TURF CLUB BILL:—Mr. H. C. Dangar moved (*by consent*), without Notice, That the name of Mr. Garrett be added to the Select Committee appointed to consider and report upon this Bill.
- Question put and passed.
-

VOTES No. 77. WEDNESDAY, 19 APRIL, 1876.

10. MURRUMBIDGEE TURF CLUB BILL:—Mr. H. C. Dangar, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this Bill was referred on 22nd March, 1876.
- Ordered to be printed.
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1875-6.

MURRUMBIDGEE TURF CLUB BILL.**REPORT.**

THE SELECT COMMITTEE of the Legislative Assembly, for whose consideration and report was referred, on 22nd March, 1876,—“*The Murrumbidgee Turf Club Bill*,”—beg to report to your Honorable House :—

That they have examined the witness* named in the margin (whose evidence will be found appended hereto); and that the Preamble having been satisfactorily proved to your Committee, they proceeded to consider the several Clauses and the Schedule of the Bill, in which it was deemed necessary to make certain Amendments.

Your Committee now beg to lay before your Honorable House the Bill as amended by them.

HENRY C. DANGAR,
Chairman.

No. 3 Committee Room,
Sydney, 13th April, 1876.

PROCEEDINGS OF THE COMMITTEE.

THURSDAY, 13 APRIL, 1876.

MEMBERS PRESENT :—

Mr. H. C. Dangar in the Chair.

Mr. Farnell,

Mr. Moses,

Mr. Day.

Mr. H. C. Dangar called to the Chair.

Entries from Votes and Proceedings, appointing the Committee, and adding Member thereto, read by the Clerk.

Printed copies of the Bill referred, together with original Petition to introduce the same, before the Committee.

Present :—Francis Macarthy, Esq., (*on behalf of the Petitioners for the Bill*).

Frederick W. Gowlland, Esq. (*Treasurer to the Murrumbidgee Turf Club*), called in and examined.

Witness produced attested copy of the Deed of Grant of Lands described in the Preamble.

Room cleared.

Preamble considered.

Question,—“That this Preamble stand part of the Bill,”—put and passed.

Parties called in and informed.

Clauses 1 to 7 read and agreed to.

Clause 8 read, amended*, and agreed to.

Clauses 9 to 18 read and agreed to.

Clause 19 read, amended†, and agreed to.

Clauses 20 to 29 read and agreed to.

Schedule read and agreed to.

Chairman to report the Bill with Amendments to the House.

*See Schedule of Amendments.

†See Schedule of Amendments.

SCHEDULE OF AMENDMENTS.

Page 6, clause 8, lines 8 and 9. Omit “purpose of being maintained and used for a public racecourse of for one or other of the”

„ 8, clause 19, line 26. Insert after the word “person” the words “being upon the lands so demised.”

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

MURRUMBIDGEE TURF CLUB BILL.

THURSDAY, 15 APRIL, 1876.

Present:—

MR. H. C. DANGAR,
MR. FARNELL,

MR. GARRETT,
MR. MOSES.

HENRY C. DANGAR, Esq., IN THE CHAIR.

Francis Macarthy, Esq., appeared on behalf of the Promoters of the Bill.

Frederick William Gowlland, Esq., examined:—

1. *Mr. Macarthy.*] Do you produce the certificate of a grant from the Crown under the hand and seal of the Deputy Registrar General? Yes.
2. Is the description contained in that grant similar to that recited in the Bill before the Committee? Yes.
3. Are Thomas Wardle Hammond, Edward Charles Pearson, and Henry Wallace the trustees under that deed? Yes, those are the three.
4. What are the purposes for which the land was granted to them? Firstly as a racecourse; secondly as a training ground, for the purpose of training horses intended to race; thirdly as a cricket ground; and fourthly for general purposes of amusement.
5. The grant provided that the trustees should have power to make rules and regulations? Yes.
6. Also that the Governor should have power to appoint new trustees? Yes.
7. Have the said trustees for some years past permitted the members of the Murrumbidgee Turf Club to have the use and enjoyment of the said land for horse-racing? Yes, they have for a long time.
8. Has the said Club expended large sums of money in making, forming, and improving a course for horses to race on, in sowing grasses and planting trees, and in erecting fences, stands, and other buildings, on the said land? It has; nearly £3,000 altogether.
9. Is the Club desirous of erecting and maintaining other improvements on the said land, which will require a large outlay of money? Yes, they want to make further improvements.
10. It is necessary in order to enable them to raise such money that the trustees should be empowered to grant leases of the land to the said Club in the manner mentioned in the Bill? That is the only way by which we can raise the money we require.
11. Are the trustees desirous of obtaining such advantage? Yes.
12. Are they members of the Club? Yes, they are, most of them.
13. *Mr. Garrett.*] What position do you hold? I was the Acting Honorary Secretary, but am now the Treasurer of the Turf Club.
14. You have no connection with the trustees? No, nothing at all.
15. How have the Club signified their willingness to accept leases? Simply by initiating this Bill.
16. Was it done by resolution at their meeting? It was resolved to endeavour to get the privilege they are now trying for.
17. *Chairman.*] Have you a copy of the resolution that was passed? No.
18. *Mr. Garrett.*] A resolution was passed at a meeting of the Club? Yes.
19. There has been no action taken by any subscribers to the Club of a contrary nature? No, not at all.

F. W.
Gowlland
Esq.

15 April, 1876.

- F. W. Gowlland, Esq.
15 April, 1876.
20. *Mr. Farnell.*] Has application been made to the trustees for a lease? They have been seen individually—not in the way of writing.
21. What was the reason they did not grant it? They are not allowed under the original grant.
22. Therefore they come to the Legislature to obtain power? Yes.
23. *Mr. Garrett.*] Are there any Cricket Clubs there? There are two; one of the Cricket Clubs has commenced, with the consent of the Turf Club, to improve the ground.
24. With the consent of the trustees? I suppose they would not ask the consent of the trustees since the land was granted for that purpose, but the Club have fenced it in, and they asked us first of all whether we objected, as a matter of courtesy. That is the only Club that uses the ground—the Wagga Club; the other, the Newtown Club, would have the same privilege if they applied, but they have a place of their own; Newtown is a suburb of Wagga.
25. Have there ever been any other organised public amusements held there? Yes, picnics and fêtes of that sort. They have always had the use of the ground.
26. *Chairman.*] Has any opposition ever been offered to the use of the ground for any of the purposes for which this grant was originally contemplated by the Trustees, or by the Murrumbidgee Turf Club? I think not—I never heard of any.
27. As a matter of fact, is this reserve used or is it not for any other purposes than for races, as a cricket ground, and for picnicing? I think nothing else in the way of amusement; pigeon matches are shot there sometimes.
28. Have you any means of knowing whether the people of Wagga are opposed to the passing of this Bill? I think, speaking of the people of Wagga, they are not, but that they would like to see it pass. There are a few people who presented a petition against it, but they did not understand the object of the Bill. Since then it has been explained to them, and I think the opposition has quite died away.
29. *Mr. Garrett.*] Did they present a petition to Parliament against it? Yes.
30. *Mr. Farnell.*] Do you know what was the nature of their objections? No, I did not see the petition.
31. *Chairman.*] So far as you know, is there the smallest wish or intention to prevent this reserve being used for the various purposes contemplated by this grant? No.
32. So that the passing of this Bill will not in any way interfere with any of these privileges? No.
33. In fact, will not, in your judgment, the passing of this Bill have the effect of rather affording increased facilities for public amusements? I think so; we want to make it a thorough recreation ground, as well as a racecourse.
34. *Mr. Farnell.*] I presume that the Murrumbidgee Turf Club do not think themselves justified in expending a large amount of money for the improvement of this reserve as a racecourse unless they can obtain a lease? No; I think the Club will fall through altogether unless they succeed in this object. That is the general feeling.
35. *Mr. Moses.*] I suppose the object is to raise revenue to improve the grounds? Yes; hitherto it has been done by personal bonds, but the people who have done this hitherto object, because as they have laid out so much money on the property they think they ought to raise what will be required for further improvements on the property itself, and that they could easily obtain the money if they had a lease.
36. *Mr. Day.*] I understood you to say that the only purposes for which this ground was used were as a racecourse, for pigeon-shooting, and for cricket? Yes, and for public picnics.
37. Are you aware that the Agricultural Society held their show there? It has been used by them, but they have now got a piece of ground for themselves elsewhere.
38. They used it last year? Yes.
39. It never has been refused to any public body? I think not; I remember no case of refusal.
40. Who have been mainly instrumental in improving the land? The Turf Club.
41. Have they done it all? We might have got a couple of hundred pounds outside of that, but I do not think more, by public subscription.
42. Then the Turf Club have improved this reserve at their own expense? Yes.
43. *Mr. Garrett.*] Have you any idea of the by-laws intended to be submitted to the Executive under this Bill? I think they are identical with those of the Australian Jockey Club.
44. That is as affects leases? As for the leases, I think they are in the original by-laws of the Trustees.
45. The present Trustees are the leading members of the Jockey Club? One is a leading member. Mr. Hammond is not a leading member.
46. He is a member? He is a member.
47. Does he live in the town of Wagga? No, about 20 miles from Wagga.
48. Which trustee has left the district? Mr. Wallace.
49. He lives in Manero? Yes.
50. Is it intended to elect another trustee in his place? It has been suggested, but I do not think it would be done.
51. *Mr. Day.*] Mr. Pearson is the leading member of the Club? Yes.
52. I suppose your Club embraces the whole of the leading people in the district? Yes, I am sure it does.
53. And of the town too? Yes.
54. What is the number of members you have in the Turf Club? About 250 paying members; the subscription is three guineas.
55. *Chairman.*] It is the leading Turf Club by far in that part of the world? I think so.
56. *Mr. Day.*] I suppose those who object are not members of the Club? I do not think any of them are members.
57. *Mr. Garrett.*] Who were the objectors—were they the representatives of Temperance Societies? It is hard to say who they were. I hear the petition was signed by women and children.
58. You are not aware of any instance where the Turf Club refused the use of the ground to any organized public body? I am not; I think they have always lent it when requested to do so.
59. Was there ever any charge made to these bodies for the use of the land, such as Temperance Societies, Sons of Temperance, Good Templars, Sunday Schools, Cricket Clubs? I am sure they were never charged; of course if any one required to be admitted to the ground on race days he was charged.
60. From your knowledge of the objects of the Club, and the intentions of those who control it, do you think it is not likely they would charge any one except on race days? I do not. At the last meeting,
the

the lessee rather strictly charged for children, which the Club had never done before; hence there was a transient feeling against the Bill, but the matter has been well ventilated and the feeling has passed away.

F. W.
Gowlland,
Esq.

61. *Chairman.*] Did you say that this Bill has been approved by the trustees? No, I do not think they have seen it.

15 April, 1876.

62. You cannot say then how they are affected towards it? They are willing we should get the lease.

63. The Bill if passed does not oblige them to grant leases—it simply empowers them to do so? That is all.

64. *Mr. Garrett.*] You believe it would not be in any way detrimental to public interests if this power were given? I think not at all. I think it would injure Wagga if the Bill were not passed, because people would lose interest in the Club.

65. *Chairman.*] Have you any idea how much more money the Turf Club would require to complete all the improvements they contemplate? It is intended to fence the ground with about two miles of 6-foot paling, which would cost £1,500.

66. Is the grand stand completed? We have two stands, but as the railway goes on we anticipate they will require enlarging.

67. Is there any other place in or around Wagga available for the purposes of recreation other than this recreation reserve? Yes, there is the reserve just near the bridge closer to the town than the racecourse, which up to this time has been used as a cricket ground.

68. Is that a public reserve? Yes, it is a reserve for access to the ferry. I think there must be nearly 100 acres there.

69. That is open to the public? It is, and is a place which has been used for picnics, as being more suitable.

70. How far is the racecourse reserve from the town? It is close to the town, but still not so ready of access as the other place.

71. *Mr. Day.*] About a mile? Hardly so far.

72. About a mile from the Court House? Yes, I think it is. Perhaps the Committee will allow me to tell them the circumstances under which the land was originally granted. Two Ministers of the Crown being in Wagga, were waited upon by a deputation from the Turf Club to ask a grant of this land for a racecourse. It was pointed out that it could not be granted directly to them, but that they should have as much as the law would allow as a recreation ground—that was 164 acres. Had it been granted simply as a recreation ground, so much would not have been given.

73. How far is the reserve at the punt from the racecourse? I should think half a mile. Of course if you take the punt end of it, it is much further, but the nearest point is less than half a mile.

74. How far is the punt reserve from the town? It adjoins the town, about as nearly as the racecourse.

75. I suppose this punt reserve is nearly as good as the other reserve? Yes, it has always been used for public picnic parties.

76. I think you said it is about 100 acres in extent? Yes, I think it must be.

77. Has it ever been improved? No.

78. Then those who object to the passing of this Bill now before the House have the same opportunity of improving this reserve as the racecourse committee have of improving the racecourse? Yes.

79. Are there any improvements on it? No.

80. It is land in a state of nature, with no improvements on it at all? Yes.

81. Is the racecourse higher than the punt reserve? It is a little higher, but they are both subject to floods.

82. *Mr. Garrett.*] What number of signatures was attached to the petition in favour of passing the Bill (*handing the petition to the witness*)? 392.

83. Do they represent the general public interests of the district? Yes, they do, in every way, pastoral, store-keeping, and every other. Nearly all the Corporation have signed it.

84. Is this land within the bounds of the Corporation? Yes.

85. And the Corporation have made no objection to it? No, they have made no objection. I think six out of the nine aldermen have signed the petition.

86. As a corporate body they have not made any motion about it? No.

87. *Mr. Farnell.*] Do you know whether this particular reserve comes under the Public Parks Act? No, I do not think it does.

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

WAGGA WAGGA RACECOURSE.

(PETITION AGAINST PROPOSED BILL.)

Ordered by the Legislative Assembly to be printed, 12 January, 1876.

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

The Petition of the undersigned Inhabitants of the Town of Wagga Wagga and neighbourhood,—
HUMBLY SHOWETH:—

That your Petitioners have learned from a notification in the Government Gazette that it is intended to apply in this present Session of Parliament for leave to introduce a Bill by which the absolute control of a certain piece of land situated in South Wagga Wagga and within the Municipal boundaries, known and dedicated as "The Racecourse and Public Recreation Reserve," and so described upon the Government map of the Town, shall be secured to the members of the Murrumbidgee Turf Club.

That the said piece of land was dedicated as a reserve for purposes of public recreation and was fenced in by public subscription; and your Petitioners therefore respectfully urge that a manifest wrong would be done to the general public of the town should the land be vested in the said Club according to the proposals of the Bill it is intended to introduce to Parliament.

That not only the fencing but the other improvements upon the reserve have been effected by the contributions of the public, and that although the said improvements were effected in furtherance of the objects of the Turf Club, they cannot equitably be held to establish any claim to the right now sought for by the Club, as against the interests of the general public whose contributions formed a portion of the money expended.

That there are in the Town of Wagga Wagga several bodies, viz., the Oddfellows, the Sons of Temperance, the Good Templars, the Wagga Cricket Club, the Newtown Cricket Club, who with the heads and children of the several Sunday schools have their general recreation arrangements during the year, particularly upon the public holidays.

That the reserve in question is the only one in the town available for the picnics, games, and other recreations of these bodies; and that if the aforesaid application be granted, power will be placed in the hands of the members of the said Turf Club to refuse admission to the said reserve for the several bodies named, or to make such charges for that admission as would be prohibitory, and the public would thus be debarred from the common use and enjoyment of that which was intended for their benefit, and the wise foresight of Government in making reserves of this description would in this instance be rendered nugatory.

That the Town of Wagga Wagga is growing rapidly and that there is every probability that the neighbourhood of the Racecourse will be thickly populated in the course of a few years, and that having such a contingency in view it would be impolitic to hand over the said reserve to the Turf Club in the manner proposed by the Bill, inasmuch as its use as a racecourse might yet become a serious nuisance to the town, and it might be necessary in the interests of the town to insist on the selection of a racecourse further away from the centre of population, as has been the case in Sydney and other places in the Colony under like circumstances.

That the Town of Wagga Wagga is situated in the valley of the Murrumbidgee and is so enclosed by a sharp turn of the river that the only available "breathing space" for the inhabitants is precisely that which is now sought to be monopolised by a section of the members of the Murrumbidgee Turf Club.

That your Petitioners have no desire to restrict the enterprise of the Turf Club, but they consider that the handing over of this land, so that it may at any time be reserved so as to be used for racing purposes and the benefit of the Club only, would be highly detrimental to the general interests and wishes of the community.

Your Petitioners therefore earnestly pray that you will searchingly examine into the matter of the application referred to, and that leave be not granted to bring in the proposed Bill.

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

[Here follow 142 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

DRAINAGE OF THE GREENHILLS ESTATE.

(CORRESPONDENCE, &c.)

Ordered by the Legislative Assembly to be printed, 3 August, 1876.

RETURN to an *Order* of the Honorable the Legislative Assembly of New South Wales, dated the 14th March, 1876, That there be laid upon the Table of this House,—

“Copies of all Letters, Minutes, Opinions, Decisions, and all other Documents having reference to the drainage of the Greenhills Estate into the Shoalhaven River.”

(Mr. Warden.)

SCHEDULE.

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DRAINAGE OF THE GREENHILLS ESTATE.

J. H. WILLIAMS, Esq., to THE ENGINEER-IN-CHIEF FOR HARBOURS AND RIVERS.

23, Bridge-street,
Sydney, 8 December, 1873.

MY DEAR MORIARTY,

I called at your office both on Saturday and to-day, but was not successful in finding you in.

The enclosed letter from Lovegrove will explain the object of my call.

The proposed cutting is from the creek which runs at the back of the Terrara property, and will empty into the Shoalhaven River between M'Arthur's and the Greenhills.

My own impression is that it will not only be injurious to private property but that it may divert the course of the Shoalhaven River; and my wish is that you should direct Mr. Halkett to give Monaghan notice not to proceed until Halkett has had an opportunity of reporting to the department what will be the probable effect of such cutting.

Respectfully yours,
J. H. WILLIAMS.

W. Lovegrove, Esq., to J. H. Williams, Esq.

Shoalhaven, 3 December, 1873.

My dear Mr. Williams,

I am writing to you on a matter which you will recognize as of great importance to you, and in which your speedy movement is necessary.

You no doubt recollect that in 1858 or thereabouts, James Graham was digging a drain into the main river, in spite of the remonstrances of Mrs. De Mestre and of Mr. Berry. As he refused to desist, Mr. Berry and Mrs. De Mestre obtained an injunction to stop him. He was stopped by law at once and never renewed the attempt, but the drain remained as he had excavated it, and recent floods have brought it within about 2 chains of the river bank.

At that place the river has never overflowed. James Monaghan, the present owner of the ground, a young man born in Shoalhaven, and who has never had an opportunity of getting any scientific knowledge, is going at once to cut through this bank and open the drain into the river; Mr. Berry being dead he defies any one to stop him.

The probable effects of cutting through the bank at this spot will be,—

- (1.) That the first flood will tear a large irregular opening.
- (2.) That the back lands of Terrara, including yours, will be flooded earlier and more deeply, and that the extra current created will be probably sufficient to remove most or all of the fences.
- (4.) That probably the new set of current will cover the land with drift timber in greater or less quantity.

There are more ways than one of stopping this proceeding.

(1st.) It is a contempt of Court, for the injunction is not dissolved.

(2nd.) It is an interference with the main river, and that is an offence as follows:—

Under the Imperial Act 24 and 25 Vict., c. 97, sec. 30, it is a felony.

Under the 29 Vic. No. 1, sec. 14, in the proviso, it may be permitted by the Governor and Executive Council

He has no such permission.

Lastly, under the Common Law he is liable for damages, and should receive notice of same.

I do not suppose you will want to prosecute him for felony if it can be helped, and if you proceed on the contempt of Court the process may not be quick enough; but I have no doubt Mr. Sutherland's Department would interfere at once on cause shown, and probably direct their officer, Captain Halkett, to take such steps as would immediately prove effectual. Life as well as property may be at stake.

I am, &c.,

W. LOVEGROVE.

See Slade also about this, and get the Government to use the telegraph, as I am greatly afraid of loss of time. Mr. Sutherland's officers will be able to estimate the probable effect on the navigation of the river.

No. 2.

TELEGRAM FROM THE ENGINEER-IN-CHIEF FOR HARBOURS AND RIVERS TO MR. A. HALKETT:

JAMES Monaghan is making a cutting into the Shoalhaven River between the township of Terrara and Greenhills. Notify him to desist at once till the Minister for Works shall have had an opportunity of considering the probable effects of such cutting.

E.O.M.

No. 3.

TELEGRAM FROM MR. A. HALKETT TO THE ENGINEER-IN-CHIEF FOR HARBOURS AND RIVERS.

9/12/73.

MR. Monaghan has been personally informed as to the cutting referred to in your telegram 8th. More particulars by post.

A. HALKETT,
Terrara.

No. 4.

MR. J. MONAGHAN TO THE ENGINEER-IN-CHIEF FOR HARBOURS AND RIVERS.

Greenhills, Shoalhaven,
9 December, 1873.

SIR,

I received a notice on Tuesday last from Captain Halkett (on your behalf) stating you had been informed that I was engaged in cutting a drain into the Shoalhaven River above Terrara, and requested me to desist from such a work until you had inspected it.

As I am not so engaged, or ever have been, I therefore request that you will furnish me with a copy of such information and also the name of the person who supplied it to you.

JAMES MONAGHAN.

No. 5.

3

No. 5.

MR. A. HALKETT TO THE ENGINEER-IN-CHIEF FOR HARBOURS AND RIVERS.

Dredge "Pluto," 13 December, 1873.

SIR,

With reference to Mr. James Monaghan making a cutting into the Shoalhaven River between the township of Terrara and Greenhills, I promised in a telegram sent you to furnish more particulars by post; I have now the honor to forward the following information collected from reliable sources.

The cutting alluded to was begun in 1857 or 1858 by Mr. James Graham, uncle of the present Mr. Monaghan.

The Messrs. Berry and Mrs. De Mestre took action in the Supreme Court to compel Mr. Graham to enter into a bond to satisfy them against any damage that might be done to the adjoining properties. Mr. Graham refused to do this, and an injunction was applied for and granted to prevent the cutting being made.

Nothing more was done during Mr. Graham's lifetime. He died about four or five years ago. The property has since been divided into four portions. Mr. Monaghan bought a fourth, and it is on this part the cutting is intended to be made.

Whether the injunction against Graham is binding upon Monaghan I do not know, but at any rate this portion of the property has been in his possession for some considerable time, and it's only now he began to move in the matter. There is about 30 or 40 yards of the cutting done, but this was done by Mr. Graham before the injunction was granted. All that Mr. Monaghan has as yet done is bringing some timber on the ground for the purpose of slabbing the sides of the cut.

When I showed Mr. Monaghan your telegram of the 8th instant, I told him he had better desist from taking any steps in regard to carrying out the intentions of his uncle; he promised to do so.

I believe this is all I can do in the matter until you send more instructions.

I have, &c.,

ALEXR. HALKETT.

No. 6.

THE ENGINEER-IN-CHIEF FOR HARBOURS AND RIVERS TO MR. J. MONAGHAN.

Sydney, 6 January, 1874.

SIR,

In reply to your letter of the 9th ultimo, I have to inform you that Mr. Williams of Sydney verbally reported (on information obtained from Mr. Lovegrove) to me respecting the cutting the drain therein referred to.

I am, &c.,

pro E. O. MORIARTY,

J. BARLING.

No. 7.

MR. J. MONAGHAN TO THE ENGINEER-IN-CHIEF FOR HARBOURS AND RIVERS.

Greenhills, Shoalhaven, 7 May, 1874.

SIR,

I wish to obtain your permission to construct a tunnel or covered drain through my land into the Shoalhaven River; my land is a portion of Layton's grant of 640 acres.

Trusting that you will give the matter your earliest attention, as I am suffering great loss by the flooded state of the land,—

I am, &c.,

JAMES MONAGHAN.

No. 8.

MR. A. HALKETT TO THE ENGINEER-IN-CHIEF FOR HARBOURS AND RIVERS.

Dredge "Pluto," 28 May, 1874.

SIR,

I beg to acknowledge receipt of a letter signed by James Monaghan, of date 7th instant, in which he asks permission to construct a tunnel or covered drain through his land into the Shoalhaven River.

Accompanying the above is also a letter from Mr. Lovegrove, who seems to be acting as agent for Mr. Williams, a neighbouring proprietor of Monaghan's. In his letter Mr. Lovegrove gives three reasons why Monaghan should not be allowed to construct the proposed drain or culvert; I shall in the sequel of this report treat upon those objections. I have inspected the course of the proposed drain or culvert in company with Mr. Monaghan, and also inquired on what plan he proposes constructing it, and have the honor to submit the following report for your information.

The object Mr. Monaghan has in view in making the proposed cutting is to drain a large area of swamp land (about 300 acres), lying to the south of the road leading from Terrara to Greenhills and Nowra. The distance from the swamp to the Shoalhaven River is about 880 yards straight course, and will pass through Monaghan's property its entire length. The difference in level at high-water is 3 feet 9 inches.

The mode of construction proposed is to excavate to the requisite depth, slabbing as he goes along, and covering it up. He proposes making it the shape shown in the margin,* 6 feet wide at the bottom with a flood-gate at the outlet into the river to prevent back water in time of flood; he also proposes protecting the river bank.

I

* Triangular.

I must confess I do not approve of the mode of construction proposed by Mr. Monaghan, for the following reasons:—

1st. I think the shape is bad.

2nd. From the loose nature of the soil and the rough uneven edges of the slabs it will be very difficult to keep the water from seeking its way through and washing away the soil, and

3rd. The perishable nature of the material, viz., timber.

As to the objections put forth by Mr. Lovegrove, the first is that the first flood will tear a large irregular opening.

In answer to this, I would point out that if the culvert is properly constructed, and the river bank protected, no such an occurrence as Mr. Lovegrove points out could take place.

The second objection is that the back lands of Ferrara will be flooded earlier and more deeply, and that the extra currents created will be probably sufficient to remove most or all of the fences.

To this I answer that the back lands of Ferrara will be in no worse a position after the culvert is made than now. I have made careful inquiries about the overflow of the river in time of flood, and I find that above and below the outlet of the proposed culvert the water first overflows; in fact, according to Mr. Lovegrove's own letter, the river never rises level with the bank at this particular spot. So far as I can learn this is correct. If then the culvert is properly constructed you will easily perceive this objection falls through.

The third and last of Mr. Lovegrove's objections are that probably the new set of current will cover the land with drift timber in greater or less quantity.

If the river overflowed at the outlet of the culvert this might be true, but as it neither does nor ever did, I fail to see that there is any weight in this objection.

The first overflow of the river takes place between Nowra Mill and Bomaderry Ferry, and it almost simultaneously flows over at Ferrara, but never at the outlet of the proposed culvert, so that it is from the places mentioned that floods the back lands of Ferrara.

As to the effect on the navigation of this part of the river, that was destroyed by the flood of 1870, and I believe this channel is gradually filling up. There is little or no current (except near high water) in it. The current comes down on the Nowra Mill side, strikes across at Bomaderry Ferry, and goes down the north side of Pig Island. It is clear then that the constructing of this culvert will not in any way affect the navigation; and to make this channel on the south side of Pig Island navigable would cost more money than the small traffic would warrant. For more information on this I beg to refer you to my report of May 20th, 1873.

There can be no doubt, if this culvert was properly constructed, it would not only benefit Mr. Monaghan, but the adjoining proprietors would also participate in that benefit.

I have arrived at this opinion after very careful consideration.

I should recommend, however, that before permission be granted to Mr. Monaghan, he be asked to state definitely his plans, and if approved of that they be carried out under the supervision of an officer of the department.

I have, &c.,
ALEXR. HALKETT.

No. 9.

MINUTE OF ENGINEER-IN-CHIEF FOR HARBOURS AND RIVERS.

I HAVE considered Mr. Halkett's report on Mr. Monaghan's application very carefully, but I am disposed to think that any tampering with the bank of the river at this point would be attended with too much danger to warrant its being allowed. The effect of those very violent floods with which the Shoalhaven is visited might be to undermine the outlet of the drain, as has frequently occurred on the Hunter; and if this were to take place the river would probably cut a new channel for itself into the creek which flows into the Crookhaven and which takes its rise near this point.

I cannot therefore recommend a compliance with Mr. Monaghan's application.

E.O.M., 10/6/74.

No. 10.

THE UNDER SECRETARY FOR PUBLIC WORKS TO MR. J. MONAGHAN.

Department of Public Works,
Sydney, 8 July, 1874.

SIR,

In reply to your letter of 7th May last, requesting permission to cut a tunnel or covered drain through your land into the Shoalhaven River, I am directed to inform you that the Secretary for Public Works cannot accede to your request.

I have, &c.,
JOHN RAE.

No. 11.

MR. J. H. WILLIAMS TO THE ENGINEER-IN-CHIEF FOR HARBOURS AND RIVERS.

No. 96, Pitt-street,
Sydney, 28 January, 1876.

SIR,

Referring to the several occasions upon which I have been obliged to invite your official interference to prevent Mr. Monaghan, of Greenhills, from cutting the banks of the Shoalhaven River adjacent to his property and thereby endangering the adjoining properties, and to the notice issued from your office on the 10th December last,—

I have now to say that I was informed by telegram yesterday that Monaghan has already cut a drain within 3 feet of the river, which is likely to be broken through by any flood and thereby expose to great risk the alluvial grounds in the neighbourhood of his property. I may add that I think there would also be risk of changing the course of the river.

I trust that the Government will see the necessity of at once taking steps to prevent his further proceedings, and compel him to repair any damage he may already have done.

I am, &c.,
J. H. WILLIAMS.

No. 12.

MINUTE OF THE ENGINEER-IN-CHIEF FOR HARBOURS AND RIVERS.

Engineer-in-Chief for Harbours and Rivers' minute on M.P. 76/415, respecting Mr. Monaghan's cutting drain into Shoalhaven River.

TRANSMITTED for the information of the Honorable the Secretary for Public Works. I would beg to recommend that the necessary legal steps be taken to compel Mr. Monaghan to desist from cutting this drain, and to restore the ground as nearly as possible to the former condition.

E.O.M., 1/2/76.

No. 13.

THE UNDER SECRETARY FOR PUBLIC WORKS TO MR. JAMES MONAGHAN.

Department of Public Works,
Sydney, 3 March, 1876.

SIR,

It has been represented to the Government that on your property between Terrara and Nowra you have illegally cut a drain to carry off water, &c., into the Shoalhaven River.

I am directed by the Secretary for Public Works to inform you that if you do not forthwith fill up the drain in question, and restore the ground to its former condition as nearly as possible, the necessary legal steps will be taken to compel you without further notice.

I have, &c.,
JOHN RAE.

No. 14.

THE UNDER SECRETARY FOR PUBLIC WORKS TO THE INSPECTOR GENERAL OF POLICE.

Department of Public Works,
Sydney, 8 March, 1876.

SIR,

Referring to your *B.C. Minute of the 31st January last, forwarding a report from the Senior constable at Nowra, respecting the cutting of a drain towards the Shoalhaven River, I am directed by the Secretary for Public Works to enclose a copy of a letter which has been addressed to Mr. Monaghan on this subject, and I am to request that you will be good enough to ascertain from your officer stationed in the vicinity whether the terms of the communication have been complied with.

I have, &c.,
JOHN RAE.

* Not now with papers.

[Enclosure.]

The Under Secretary for Public Works to Mr. James Monaghan.

Department of Public Works,
Sydney, 3 March, 1876.

Sir,

It has been represented to the Government that on your property between Terrara and Nowra you have illegally cut a drain to carry off water, &c., into the Shoalhaven River.

I am directed by the Secretary for Public Works to inform you that if you do not forthwith fill up the drain in question, and restore the ground to its former condition as nearly as possible, the necessary legal steps will be taken to compel you without further notice.

I have, &c.,
JOHN RAE.

No. 15.

MR. J. MONAGHAN TO THE UNDER SECRETARY FOR PUBLIC WORKS.

Greenhills,
8 March, 1876.

SIR,

I am in receipt of a letter from your department, dated 3rd instant, stating that I have illegally cut a drain into the Shoalhaven River, &c.

In reply, I beg to state that I am not aware that such an act is illegal, but on the contrary fully sanctioned by law, and would draw your attention to 29 Vic. No. 1, s. 25. If there is any other Act bearing on the case I would feel obliged by your naming it.

I am not aware, of course, how the matter has been represented to you, and consider that I should in justice be furnished with a copy of the complaint.

I am, &c.,
JAMES MONAGHAN.

No. 16.

No. 16.

THE INSPECTOR GENERAL OF POLICE TO THE UNDER SECRETARY FOR PUBLIC WORKS.

Police Department,
Inspector General's Office,
Sydney, 13 March, 1876.

SIR,

With reference to your letter dated the 8th instant respecting the cutting of a drain towards the Shoalhaven River by a Mr. Monaghan, I have the honor to forward herewith copy of a further report obtained from the local police in the matter.

I have, &c.,
EDMUND FOSBERY,
Inspector General of Police.

Senior-constable Grieve to The Officer in Charge of Police, Eastern District, Sydney.

Police Station,
Nowra, 12 March, 1876.

SENIOR-CONSTABLE GRIEVE reports for the information of the Officer in Charge of Police, Eastern District, that, as directed, he visited the site of Mr. Monaghan's drain; he found the work of forming the drain still proceeding, three men being at work under Mr. Monaghan's personal direction.

The opening has been made to within about 10 feet of the river bank, an arch of squared logs 30 feet long has been made inside of the bank, and from that a triangular opening formed of one slab on the bottom and one at each side meeting and fastened in the centre is in course of construction; the arch has been covered, and the slabs are being covered in sections by the soil taken out of cutting, with a view to form a covered conduit.

Mr. Monaghan also expressed his intention of placing flood-gates at the mouth of the drain.

THOS. GRIEVE,
Senior-constable.

Forwarded for the information of the Inspector General of Police.—J. RYELAND, Sub-Inspector.—13/3/76.

No. 17.

MINUTE OF THE UNDER SECRETARY FOR PUBLIC WORKS.

Mr. Monaghan's case of cutting a drain towards the Shoalhaven River, between Terrara and Greenhills.

WITH the intention of carrying off water which at times lodges on a swamp of about 300 acres at the back of his property, Mr. James Graham, the then owner of land on the delta of the Shoalhaven, commenced cutting a drain of about 880 yards in length; but as the swamp had a fall of only 2 or 3 feet to the river, the neighbouring proprietors, Messrs. Berry and De Mestre, anticipating damage to the navigation of the river and to their properties, alleging that the proposed drain would alter the course of the river, sought and obtained from the Supreme Court a writ of injunction restraining Mr. Graham from constructing the drain. The portion then made, it appears, has been allowed to remain, and the floods have gradually lengthened it to about 2 chains of the river.

The accompanying papers show that Mr. Monaghan, who has since Mr. Graham's death become proprietor of the land, persists in carrying out the cutting of the drain in question, after not merely refusal of permission but notice to desist and restore the land to as nearly as possible its original position.

The Crown Solicitor is requested to take the necessary legal steps, as indicated in the minute of the Secretary for Public Works of the 1st instant.

B.C., 21/4/76, J.R.

No. 18.

THE CROWN SOLICITOR TO THE UNDER SECRETARY FOR PUBLIC WORKS.

Crown Solicitor's Office,
Sydney, 9 June, 1876.

SIR,

I have the honor to return herewith the papers respecting Mr. Monaghan's case of cutting a drain towards the Shoalhaven River, between Terrara and Greenhills, and to state that I have laid them before Mr. Attorney General Dalley, who has been pleased to write an opinion in the matter, of which I send you a copy herewith.

I have, &c.,
JOHN WILLIAMS,
Crown Solicitor.

Opinion.

It will be desirable in this case to have a complete report of what has been done by James Monaghan, and of what he is now doing if anything. It will also be necessary that the Engineer for Harbours and Rivers should furnish specific information as to whether what is being done (or what has been done) is calculated to obstruct or prevent the maintenance of the navigation of the river. It may be observed that the Imperial Act referred to in Mr. Lovegrove's letter to Mr. Williams is not in force in this Colony; but a similar provision is contained in 7 and 8 Geo. IV. c. 30, sec. 12. This offence, however, it cannot be pretended Monaghan has been guilty of. To sustain an indictment under this section it must be established that the defendant unlawfully and maliciously did what he is charged with doing. There would be no pretence for such an averment, since Monaghan was undoubtedly doing what he did in the assertion of a right

right claimed by him as the owner of the freehold, and in the belief that he was fully authorized to open the drain. I may remark that neither this Department nor the Department of Public Works is under any obligation to protect the private interests of the proprietors of the back lands referred to, as, if they are aggrieved by the action of Monaghan they have their own remedies. The intervention of the Crown can only be sought on public grounds; and that, short of a probable interference with the maintenance of the navigation of the river, I should be indisposed to direct or sanction any proceedings to be taken.

WILLIAM B. DALLEY,
Attorney General.

No. 19.

MINUTE OF THE ENGINEER-IN-CHIEF FOR HARBOURS AND RIVERS.

In reference to the opinion of the Honorable the Attorney General, I could not state that what is being done by Monaghan in this case is calculated to obstruct or prevent the maintenance of the navigation of the river; Monaghan's action will probably be productive of injury to himself and his neighbours, but I cannot assert that it is likely to be injurious to the navigation.

E.O.M., 25/7/76.

1875.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

BETTING HOUSES SUPPRESSION BILL.

(PETITION IN FAVOR OF—YOUNG MEN'S CHRISTIAN ASSOCIATION.)

Ordered by the Legislative Assembly to be printed, 22 December, 1875.

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

The Petition of the undersigned Members of "Sydney Young Men's Christian Association," and others,—

HUMBLY SHOWETH:—

1st. That your Petitioners have observed with regret the extent to which betting on horse races and similar forms of gambling are carried on in this Colony, and believe that these practices have of late greatly increased, owing to the facility and publicity now afforded for the purpose.

2nd. That they have reason to believe that these practices have led many young men into acts of dishonesty, and have resulted in the ruin or serious injury of many who would otherwise have become useful, industrious, and successful members of society.

3rd. That your Petitioners have therefore learned with satisfaction that a Bill has been introduced into your Honorable House to suppress Betting Houses, and to make other provision for mitigating as far as possible the mischief resulting from these practices, and humbly pray your Honorable House to pass the said Bill in its integrity.

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

[Here follow 1,450 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

CHEQUES AND DRAFTS AMENDMENT BILL.
(PETITION AGAINST—BANK MANAGERS.)

Ordered by the Legislative Assembly to be printed, 15 March, 1876.

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

The humble Petition of the undersigned Managers of Banks, in the City of Sydney,—

SHOWETH:—

That a Bill entitled "An Act to amend the Law respecting Cheques and Drafts" has been submitted to your Honorable House.

That the said Bill is unnecessary in the interests of the public.

That it affords no greater facilities or protection to the public than already exist, while on the other hand it imposes new obligations upon the Banks.

Your Petitioners therefore humbly pray that the Bill be rejected by your Honorable House.

And your Petitioners will ever pray.

[Here follow 8 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

FIRE BRIGADES BILL.

(MESSAGE No. 36.)

Ordered by the Legislative Assembly to be printed, 17 May, 1876.

HERCULES ROBINSON,
Governor.

Message No. 36.

In accordance with the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly, the expediency of making provision to meet the requisite expenses in connection with the Bill for the extinction of Fires in Sydney and its Suburbs.

*Government House,
Sydney, 17th May, 1876.*

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

FIRE BRIGADES BILL.

(PETITION IN FAVOUR—SUPERINTENDENTS OF VOLUNTEER FIRE COMPANIES.)

Ordered by the Legislative Assembly to be printed, 4 August, 1876.

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

The Petition of the undersigned Superintendents of Volunteer Fire Brigades for the Districts herewith named,—

HUMBLY SHOWETH:—

1st. That your Petitioners have heard with much pleasure and satisfaction that a Bill has been introduced into the Legislative Assembly of New South Wales intituled the "Fire Brigades Bill."

2nd. That your Petitioners are of opinion that such an Act as proposed and now before your Honorable House is urgently required in order to make better provision for the extinction of fires in Sydney and suburbs than at present exists.

3rd. That the best interests of your Petitioners will be advanced by the passing of the proposed Bill, whereby a more effective Fire Brigade organization will be established among the existing Fire Companies of Sydney and its suburbs, resulting on occasions of fire to the public good.

Your Petitioners therefore pray that your Honorable House will be pleased to pass the above-named "Fire Brigades Bill."

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

JOHN SWADLING,

Superintendent, City Volunteer Fire Company, No. 3.

WILLIAM ALEXANDER FRENCH,

Superintendent, Balmain Volunteer Fire Company, No. 4.

CHARLES JAMES LANE,

Superintendent, Newtown and Camperdown Volunteer Fire Brigade.

JOHN HENRY SEAMERS,

Superintendent, Glebe Volunteer Fire Company.

GEO. BURROWS,

Superintendent, Woollahra Volunteer Fire Brigade.

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

SALE AND USE OF POISONS BILL.

(PETITION OF WASHINGTON SOUL.)

Ordered by the Legislative Assembly to be printed, 23 June, 1876.

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

The Petition of the undersigned Washington H. Soul, of 221, Pitt-street, in the City of Sydney, wholesale and retail perfumer and dealer in patent and other medicines,—

HUMBLY SHOWETH:—

That in the Bill for regulating the sale and use of Poisons, now before your Honorable House, there are several defects which if not remedied will, in the opinion of your Petitioner, lead to much litigation, and may cause many evils, for instance, that whereas now there is a difficulty in obtaining poisons in any other than in small quantities from the extreme caution observed after the passing of the aforesaid "Bill" there will not be so much caution necessary, because any "householder" known to the vendor can obtain any poisons by signing the book as provided for in the said Bill, without responsibility of any kind upon the vendors.

That the term "patent medicine" should be properly defined in the Bill, or the storekeepers and others who deal in such goods will be liable to constant litigation.

That in addition to the word "poison," to be printed (or written) upon each label as provided by section 17, each label should also state the antidote or remedy to be applied in cases of unintentional or wilful poisoning.

That in both the United Kingdom and the United States of America, "vermin destroying" articles, such as "phosphor paste," "fly-papers," and other goods, each containing a preparation of arsenic or strychnine, are sold by all storekeepers at prices from one penny to one shilling each, without being subject to the "Sale of Poisons Act" of either country.

That the use of "Dr. Collis Brown's Chlorodyne," a patent medicine in the general acceptance of the term, is an invaluable medicine, as witnessed by your Petitioner in all parts of the world, in cases of cramps and dysentery especially, and the sale of it is not prohibited by the laws of any civilized country.

That a very large portion of what are known as "patent medicines" are not subject to duty (revenue duty) in either England or America.

That your Petitioner can most confidently assert that there is not a single record of death *by poison* in any medical or other journal from the use of belladonna, arsenicum, aconite, or other preparations of the homœopathists, and in his opinion such goods should not be subject to the provisions of this Bill.

That your Petitioner, from his knowledge of the drug trade and drugs in England, France, and the United States of America, advisedly asserts that there is not, in any of the countries named above, one in every hundred engaged in the trade or trades of "chemist and druggist" competent to analyse any compound of six or more articles; and yet while there is a great deal of mystery shrouded round the tradesmen known as "chemists and druggists" there is not so much skill (or art) required in compounding medicines as there is in the manufacture of glass and soap, or in the works of a tannery; and believing that the ratio of those tradesmen in this Colony are not more intelligent than in the countries named above.

Your Petitioner humbly prays that your Honorable House will hesitate before placing the beginning of what may ultimately prove a monopoly in the hands of a small body of, comparatively speaking, incompetent tradesmen.

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

WASHINGTON H. SOUL,
20th June, 1876.

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

APPRENTICESHIP LAW AMENDMENT BILL.
(PETITION AGAINST—CHAIRMAN OF PUBLIC MEETING.)

Ordered by the Legislative Assembly to be printed, 21 July, 1876.

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

The humble Petition of the undersigned,—

HUMBLY SHOWETH:—

1st. That your Petitioners have heard with alarm and regret that a Bill has been introduced into the Legislative Assembly of New South Wales intituled "An Act to amend the Law respecting Apprentices."

2nd. That your Petitioners have in Public Meeting assembled, at the Masonic Hall, Sydney, empowered and ordered their Chairman, whose signature is hereunto attached, to forward to your Honorable House the following resolutions, unanimously agreed to by them at the said Public Meeting, viz.:—

"1st. That this Meeting is of opinion that the Bill to amend the Law respecting Apprentices, now before the Legislative Assembly, is oppressive in its bearings on the rights and privileges now enjoyed, is uncalled for, and manifestly unjust to the working classes.

"2nd. That having in view the retrogressive rather than permissive nature of the proposed Bill, and the injurious effects likely to be entailed on the community at large, this Meeting highly disapproves of the Bill, and would respectfully urge upon the Legislative Assembly to reject the measure.

"3rd. That the foregoing resolutions be embodied in a petition for presentation to Parliament, to be signed by the Chairman on behalf of this Meeting."

Your Petitioners therefore pray that your Honorable House will be pleased not to pass the above-named Act to amend the Law respecting Apprentices.

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

Signed on behalf of the above-mentioned Meeting,—

DAVID MORRINE,
Chairman.

July 18th, 1876.

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

APPRENTICESHIP LAW AMENDMENT BILL.

(PETITION AGAINST—MECHANICS AND APPRENTICES AT MORT'S DOCK.)

Ordered by the Legislative Assembly to be printed, 25 July, 1876.

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

The humble Petition of the undersigned Mechanics and Apprentices in the employ of Mort's Dock and Engineering Company (Limited), Balmain,—

SHOWETH :—

That your Petitioners have viewed with alarm the recent proceedings in the Honorable the Legislative Council in passing an Apprentices Act Amendment Act through its several readings.

That your Petitioners would feel deep regret if such measures should pass into law, viewing that if a youth be apprenticed for a period terminating after his minority has expired, the man of twenty-one has arrived at the age when his newly-formed opinions should be consulted. No one of ordinary abilities and sense would half learn a trade and leave it after serving two or three years an incompetent mechanic, but would rather seek to be rebound for the remainder of his term as has been done in several cases of late under the system called improverism.

That the passing of such an Act is tantamount to an avowal that the youth of New South Wales are two or three years behind the age, which when noised abroad will not redound to the credit of the Colony.

That this Act will necessarily shut out from learning a trade those most entitled to do so the sons of the mechanics who have brought their various professions to their present perfection.

Your Petitioners therefore humbly pray that your Honorable House will not entertain the idea of such a law, and that the "Apprentices Act Amendment Act" will not be recorded among the Statutes of New South Wales.

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

Sydney, July 14th, 1876.

[Here follow 141 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

COMPANIES ACT AMENDMENT BILL.

(PETITION AGAINST—E. L. DIT FATTORINI.)

Ordered by the Legislative Assembly to be printed, 15 June, 1876.

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

The Petition of Eugene Lamonnierie Dit Fattorini, of Watson's Bay, near Sydney,—

RESPECTFULLY SHOWETH:—

1. That your Petitioner has had his attention directed to a Bill originated in, and passed by, the Legislative Council, and which passed a second reading of the Legislative Assembly, intituled, "*An Act to amend the Law as to Contributories on the winding-up of Mining Companies.*"

2. That, on or before the third day of February last your Petitioner presented a Petition to the Supreme Court of New South Wales, in its Equitable Jurisdiction, for an order to be made for winding-up the General Moltke Gold Mining Company (limited), under the provisions of "The Companies Act of 1874," and on the seventh day of March last an order was made upon the hearing of the said Petition by His Honor the Primary Judge in Equity, for the winding-up of the said Company.

3. That the said Petition was upon the hearing thereof opposed by certain shareholders in the said Company, who presented a Petition of appeal on the twenty-fourth day of March last against the said order, and the said appeal was some time since set down for hearing by the full Court on the twenty-ninth day of June instant, being the last day for the hearing of Equity appeals during the present term.

4. That the said Petition for the winding-up of the said Company was presented by your Petitioner as a creditor of the said Company, and also (as the holder of paid-up shares) as being a contributory therein, entitled upon the winding-up of the Company to participation in the unpaid capital thereof.

The said Petition was opposed upon the alleged ground that your Petitioner's claim as a creditor of the said Company is disputed, and your Petitioner relies upon the said appeal upon the grounds of your Petitioner being both as a creditor and as such contributory as aforesaid entitled to an order for the winding-up of the said Company.

5. That your Petitioner is advised and believes that the said Bill is framed so as to have a retrospective operation, and will, if passed, be *ex post facto* legislation to the prejudice of existing interests.

6. That your Petitioner has already incurred heavy expenses, and further heavy expenses are involved in the said legal proceedings. The said Bill, if passed, will for the reasons before mentioned prejudice your Petitioner, and your Petitioner feels aggrieved thereby.

Your Petitioner therefore prays your Honorable House to be heard at the bar of the House by Counsel or otherwise against the passing of the said Bill, unless the said Bill should be so amended that the same will be deprived of retrospective operation.

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

Dated the thirteenth day of June, 1876.

EUG. FATTORINI.

Witness to the signature of Eugene)
Lamonnierie Dit Fattorini,— }

ALFRED DE LISSA, Solicitor, Sydney.

1875-6.

NEW SOUTH WALES.

REAL PROPERTY ACT.

(RETURNS UNDER, FOR 1874.)

Presented to 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, 1874.

Month.	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.			
January...	23	28	78	3	17	143	0	0	11,969	0	0	24	12	11	29	10	0	257	6	0	311	8	11
February...	21	38	20	2	28	3,094	0	0	21,022	0	0	43	19	3	39	15	0	275	15	0	359	9	3
March ...	28	35	14	1	27	1,338	0	8	18,976	0	0	39	10	0	46	10	0	299	14	0	385	14	0
April	27	50	122	3	5	240	2	20	18,464	0	0	38	9	6	39	10	0	255	15	0	333	14	6
May	18	21	39	0	11	244	3	37	17,521	0	0	34	8	5	29	0	0	298	19	0	362	7	5
June	23	37	93	2	36	131	0	0	16,812	0	0	35	0	5	45	5	0	318	2	0	398	7	5
July	18	21	26	2	21	987	2	19	54,343	0	0	113	4	4	28	5	0	259	12	0	401	1	4
August ...	26	51	25	3	6	3,636	1	19	32,926	0	0	69	0	5	50	5	0	301	19	0	421	4	5
September	23	48	119	1	25	2,452	0	0	98,110	0	0	204	8	1	62	10	0	328	17	0	595	15	1
October...	30	33	34	2	16	2,162	0	0	20,872	0	0	43	10	9	38	10	0	359	8	0	441	8	9
November	25	40	21	2	25	11,116	2	0	44,072	0	0	91	16	2	44	0	0	271	2	0	406	18	2
December.	16	19	25	1	15	200	0	0	7,316	0	0	15	7	11	22	10	0	230	18	0	268	15	11
TOTALS...	278	421	622	3	32	25,746	0	23	362,403	0	0	753	8	2	475	10	0	3,457	7	0	4,686	5	2

The above Return is exclusive of five applications which have been withdrawn.

E. G. WARD,
Registrar General.

RETURN of the number of Crown Grants registered under the Real Property Act, from 1st January to 31st December, 1874.

Month.	No. of Grants.	Area.		Value.	Assurance.
		Town and Suburban.	Country.		
		a. r. p.	a. r. p.	£ s. d.	£ s. d.
January	451	473 0 24	23,280 0 10	23,542 13 4	49 0 11
February	287	59 3 9	12,147 3 23	13,424 5 5	27 19 4
March	193	2 2 17	10,988 0 5 $\frac{1}{2}$	10,974 0 5	22 17 3
April	428	34 3 5 $\frac{1}{2}$	30,324 0 1 $\frac{1}{2}$	30,305 10 1	63 2 9
May	229	26 3 39	14,108 0 35 $\frac{1}{2}$	15,026 16 0	31 6 1
June	252	40 2 27	12,635 2 26 $\frac{1}{2}$	14,156 9 4	29 19 10
July	377	32 1 29 $\frac{1}{2}$	2,816 0 5	29,726 0 4	61 18 7
August	803	121 1 6	66,924 0 33 $\frac{1}{2}$	68,159 14 0	142 0 11
September	618	28 2 28	50,701 1 34	62,147 12 9	129 9 5
October	2	.....	321 1 0	320 0 0	0 13 4
November	71	22 0 24 $\frac{1}{2}$	3,275 1 14	4,329 5 1	9 0 4
December	369	34 0 24	51,956 3 19	54,116 12 0	112 14 10
TOTALS	4,080	876 2 32 $\frac{3}{4}$	279,478 3 12 $\frac{1}{2}$	326,228 18 9	680 3 7

NOTE.—Amount of consideration money for transfers under the Act for the year 1874 £ s. d.
 Amount secured by mortgage under the Act for the year 1874 189,188 9 6
 Total area under the Act—2,283,170 acres 2 roods 4 $\frac{1}{2}$ perches. Total value of land under the Act... 250,808 0 0
 £5,369,343 17 1

E. G. WARD,
 Registrar General.

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

AGREEMENTS VALIDATING ACT 39 VIC., No. 29.

(OFFICERS AUTHORIZED THEREUNDER, AND INSTRUCTIONS TO SAME.)

Ordered by the Legislative Assembly to be printed, 17 August, 1876.

LIST of Officers in whose presence contracts or agreements made under the provisions of the "Agreements Validating Act 39 Victoria, No. 29," between any persons for any personal services to be rendered or performed within the Colony of New South Wales, shall be made and subscribed:—

Adelaide	...	...	William Russell Hunt,
Auckland	...	...	David B. Cruickshank,
Berlin	...	...	Edward Franck,
Belfast	...	...	Henry Atkinson,
Boston	...	...	William Henry Wilkinson,
Bremen	...	...	Heinrich Löffler,
Christchurch, Canterbury, New Zealand.	...	...	Harold Selwyn Smith,
Cooktown	...	...	John Walsh,
Cork	...	...	John George M'Carthy,
Glasgow	...	...	Alexander Stuart,
Hamburgh	...	...	Albert Evers,
London	...	...	Andrew Abercrombie Jopp, Secretary to the Agent General for the Colony of New South Wales, H. H. Speed, Emigration Agent to the Agent General for the Colony of New South Wales,
Liverpool	...	...	Edmund Thompson,
Melbourne	...	...	William Wilmot Couche,
New York	...	...	Roderick William Cameron,
Philadelphia	...	...	Augustus Morris, and
San Francisco	...	...	J. C. Merrill,—Esquires.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office,
Sydney, 5 May, 1876.

Appointment of Officers under the "Agreements Validating Act, 39 Vic., No. 29."

I RECOMMEND that the undermentioned gentlemen be the duly authorized officers to certify to contracts or agreements in accordance with the provisions of the first section of the "Agreements Validating Act, 39 Victoria, No. 29," viz. :—

New York	...	...	Roderick William Cameron,
San Francisco	...	...	J. C. Merrill,
Philadelphia	...	...	Augustus Morris,
London	...	...	A. A. Jopp; H. H. Speed, Emigration Agent,
Liverpool	...	...	Edmund Thompson,
Glasgow	...	...	Alexander Stuart,
Boston	...	...	William Henry Wilkinson,
Cork	...	...	John George M'Carthy, Solicitor,
Belfast (Ireland)	...	...	Henry Atkinson, Merchant,
Bremen	...	...	Heinrich Löffler,
Hamburgh	...	...	Albert Evers,
Cooktown	...	...	John Walsh, Merchant,
Berlin	...	...	Edward Franck,
Auckland	...	...	David B. Cruickshank, Merchant,—Esquires.

JOHN ROBERTSON.

I further recommend that George Foster Wise be the duly authorized officer to supply the current rates of wages, &c., to the certifying officers in accordance with the schedule of the before-mentioned Act.

JOHN ROBERTSON.

Approved.—H.R., 5/5/76.

The Executive Council advise that the gentlemen herein named be appointed officers for the purpose of the 1st section of the "Agreements Validating Act, 39 Vict., No. 29."

The Council also advise that Mr. George Foster Wise be appointed to supply the information required by the schedule to the said Act.—ALEX. C. BUDGE, Clerk of the Council.

Min. 76/21, 5/5/76. Confirmed, 15/5/76.

THE COLONIAL SECRETARY TO THE AGENT GENERAL FOR THE COLONY, LONDON.

New South Wales,
Colonial Secretary's Office,
Sydney, 6 May, 1876.

SIR,

39 Vict., No. 29.

I have the honor to forward herewith copies of the Agreements Validating Act, and to inform you that in pursuance of the authority therein given, His Excellency the Governor, with the advice of the Executive Council, has been pleased to authorize the several gentlemen named in the annexed list to be the officers at the places specified in connection with their respective names, in whose presence contracts or agreements made under the provisions of that Act at such places, between any persons for any personal service, to be rendered or performed within this Colony, should be made and subscribed.

6 May, 1876.

2. A copy of the Supplementary *Government Gazette* of this date, notifying the authorization of those gentlemen is forwarded herewith, together with a copy of the circular letter addressed to them, enclosing the instrument empowering them to act.

3. It will be seen on reference to the schedule annexed to the Act that when contracts or agreements are entered into the duly authorized officer at each place is required to certify to the fact that he fully informed the engaged person of the current rate of wages for persons of his trade or calling, and of the current prices within the Colony for house-rent, food, and clothing, according to the latest advices received by such officer from the Agent General of the Colony or from such other officer authorized in that regard. The current rates of wages, &c., will be duly furnished to you from time to time for communication to the several duly authorized officers, excepting those named in the margin, to whom Mr. George Foster Wise, who has been appointed such other officer referred to in the schedule to the Act, will from time to time forward such statements direct.

4. A supply of the statement of the rate of wages, &c., now current here, accompanies this letter; and I have the honor to request that as soon after receipt as possible you will be good enough to transmit a copy of such statement to each of the officers named in the list appended hereto.

I have, &c.,

JOHN ROBERTSON.

New York—
Roderick Wil-
liam Cameron.
San Francisco—
T. C. Merrill.
Philadelphia—
Augustus Morris
Bremen—Hein-
rich Löffler.
Hamburgh—
Albert Evers.
Berlin—Eduard
Franck.
Cooktown—
John Walsh.

List within referred to.

Berlin	Eduard Franck,
Bremen	Heinrich Löffler,
Cooktown	John Walsh,
Glasgow	Alexander Stuart,
Hamburgh	Albert Evers,
London	Andrew Abercrombie Jopp, Secretary to the Agent General for the Colony of New South Wales, London,
Do.	H. H. Speed, Emigration Agent to the Agent General for the Colony of New South Wales, London,
Liverpool	Edmund Thompson,
New York	Roderick William Cameron,
Philadelphia	Augustus Morris, and
San Francisco	J. C. Merrill,—Esquires.

No. XXIX.

An Act to remove doubts as to the validity of Agreements made elsewhere for personal service in New South Wales. [Assented to, 25th April, 1876.]

Preamble. WHEREAS doubts have arisen as to the validity in the Colony of New South Wales of Agreements for hiring and service made or entered into by persons elsewhere than in the said Colony but intended to take effect within the said Colony and it is expedient to remove the said doubts and also to simplify the proofs respecting the making of such agreements 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 New South Wales in Parliament assembled and by the authority of the same as follows:—

Contracts made out of the Colony to be valid within the Colony.

1. Every contract or agreement made in any place beyond the Colony of New South Wales between any persons for any personal services to be rendered or performed within the said Colony for and during any period not exceeding two years from the arrival in the said colony of the person by whom such services are to be rendered or performed or for any period not exceeding two years and three months from the date of such agreement shall be as valid binding and effectual between the parties and shall be upheld and maintained in all Courts of Justice within the said Colony in the same manner and to the same extent as if the said contract or agreement had been duly made and entered into in the said Colony Provided that such contract or agreement shall be made and subscribed in the presence of some officer duly authorized in that behalf by the Governor and Executive Council of New South Wales and shall be attested by such officer and shall have thereon his certificate in the form or to the effect of the Schedule annexed to this Act And such officer shall in all cases where any such agreement shall be made or entered into by any person as agent for or on behalf of any other person be bound to ascertain that such person so signing as such agent was duly authorized so to do and the certificate of such officer shall be conclusive evidence of such agency.

Signature of officer need not be proved.

2. It shall not be necessary in any manner to prove in evidence the signature of the said officer to the said certificate if it purports to have been given by him as such duly authorized officer.

The certificate to be *prima facie* evidence that the parties respectively executed it.

3. The production of an agreement so attested as aforesaid and having thereon such certificate as aforesaid in any Court of Justice within the said Colony and proof to the satisfaction of the Court that the complainant or defendant (as the case may be) disputing the authenticity of such agreement was known at any time since the date of the same agreement by the name and designation appearing on the face thereof shall be deemed and held to be *prima facie* evidence that he is the person mentioned therein and that he duly executed the same.

- 4. It shall not be essential to the validity of any such contract or agreement that it should be either stamped or sealed (unless a corporation be a contracting party) notwithstanding that all such written instruments are required by the law of the land in which such contract or agreement was made to be stamped or sealed or both before they can be put in evidence in a Court of Justice. Agreements need not be stamped or sealed.
- 5. On the demand of either party to any such agreement as aforesaid made out of the Colony the other party thereto shall re-execute the same at any time after his arrival within the said Colony and in case he shall refuse or neglect so to do he shall be liable to a penalty not exceeding twenty pounds which penalty shall be paid to the party laying the complaint provided always that the imposition or satisfaction of the said penalty shall not in any manner be deemed to have annulled or otherwise to have affected the said agreement. Parties compellable to re-execute agreements made out of the Colony.
- 6. All complaints or other legal proceedings taken for the breach of any such agreement as aforesaid or of any of the provisions of this Act (excepting prosecutions for any or either of the offences mentioned in the ninth section of this Act) may be heard and determined in a summary way before any two Justices according to the provisions of the Act fourteenth Victoria number forty-three and the English statutes thereby adopted. And any summons or other legal document may be served upon either party personally or by delivering the same to any person being apparently above the age of fourteen years resident at the last-known place of abode of the person named in such summons or other legal document. Complaints may be heard before two Justices. Service of summons &c.
- 7. Any person feeling himself aggrieved by any judgment order or conviction under the authority of this Act where the order or penalty exceeds five pounds may appeal against the same to the next Court of Quarter Sessions holden in the District where the subject matter arose unless such Quarter Sessions shall be held within fourteen days from the date of such conviction or judgment and in that case to the Court of Quarter Sessions then next following. And such Court shall have power to hear and determine the matter in a summary way and shall have and exercise all other powers vested in them by the third section of the Act fifth William the Fourth number twenty-two and the decision of such Court shall be final and conclusive in respect to the subject matter of such appeal. Provided always that the person so appealing shall have given written notice seven days at the least before the hearing of such appeal of his intention to appeal and stating the grounds thereof to any one of the adjudicating Justices and to the complainant and provided also that such person (in case a penalty shall have been awarded or an order made against him) shall pay into the hands of the adjudicating Justices the full amount thereof together with the costs awarded within one week next after adjudication and shall within the same period enter into a bond with two sureties approved by such Justices conditioned to prosecute such appeal with effect and to abide the event of such appeal and to pay the full amount of all such costs as may on such appeal be awarded against him. Appeal allowed to Quarter Sessions.
- 8. No conviction nor any other proceeding matter or thing done or transacted in relation to the execution of this Act shall be vacated quashed or set aside for want of form nor be removable by *certiorari* or otherwise into the Supreme Court. Convictions &c. not to be quashed for want of form.
- 9. Whosoever shall forge or alter or shall offer utter dispose of or put off knowing the same to be forged or altered any certificate under this Act or any certificate purporting to be a certificate given by an officer duly authorized by the Governor and Executive Council of the said colony to sign certificates under this Act shall be guilty of felony and being convicted thereof shall be liable at the discretion of the Court to be kept to hard labour on the roads or other public works of the said colony for any term not exceeding five years and not less than three years or to be imprisoned for any term not exceeding two years. Penalties &c.
- 10. This Act may be cited as the "Agreements Validating Act" and shall come into operation immediately after the passing thereof. Short title and commencement of Act.

SCHEDULE.

I HEREBY certify that the above contract was made and subscribed by the parties in my presence And I further certify that previous thereto I fully informed the said (the contracting party of the second part) of the current rate of wages for persons of his trade or calling and of the current prices within the Colony of New South Wales for house-rent food and clothing according to the latest advices received by me from the Agent General of New South Wales [or other officer duly authorized in that behalf by the Governor and Executive Council of the said Colony] And I further certify that the said (the contracting party of the second part) declared in my presence that he fully understood the terms and conditions of the said contract And I further certify that I am duly authorized by the Governor and Executive Council of New South Wales to grant this certificate.

Given under my hand at - [insert the town, county and country thus—at Portsmouth in
day of 187
A.B.
(Add name of office &c.)

Colonial Secretary's Office,
 Sydney, 6th May, 1876.

His Excellency the Governor, with the advice of the Executive Council, has been pleased to authorize the undermentioned gentlemen to be the officers at the places specified in connection with their respective names, in whose presence contracts or agreements made under the provisions of the "Agreements Validating Act" (39 Victoria No. 29), between any persons for any personal services to be rendered or performed within the Colony of New South Wales, shall be made and subscribed, viz:—

- Berlin Eduard Franck,
 - Bremen Heinrich Löffler,
 - Cooktown John Walsh,
 - Glasgow Alexander Stuart,
 - Hamburgh Albert Evers,
 - London Andrew Abercrombie Jopp, Secretary to the Agent General for the Colony of New South Wales, London,
 - Do. H. H. Speed, Emigration Agent to the Agent General for the Colony of New South Wales, London,
 - Liverpool Edmund Thompson,
 - New York Roderick William Cameron,
 - Philadelphia Augustus Morris, and
 - San Francisco J. C. Merrill,—Esquires.
- JOHN ROBERTSON.

New South Wales, Colonial Secretary's Office,
 Sydney, 6th May, 1876.

Sir,

His Excellency the Governor having been pleased, with the advice of the Executive Council, to authorize you to be the Officer at in whose presence shall be made and subscribed contracts or agreements made at that place under the Agreements Validating Act (39 Victoria No. 29), between any persons for any personal service to be rendered or performed within the Colony of New South Wales, I have the honor to transmit herewith the necessary instrument that has been issued in your favour accordingly, and to request that you will be good enough to acknowledge its receipt.

2. The authority thus conferred upon you has been duly notified in a supplementary *Government Gazette* of this day's date, a copy of which accompanies this communication.

3. I have the honor, at the same time, to transmit herewith for your information, a copy of the Agreements Validating Act, and to state that the Agent General of New South Wales, resident in London, or other officer duly authorized, as the case may be, will advise you from time to time of the current rate of tradesmen's and labourers' wages and of the current prices within the Colony for house rent, food, and for clothing.

4. Your special attention is invited to the duty imposed upon you by the 1st section of the Act in respect to agreements to be made or entered into by Agents on behalf of other persons.

I have, &c.,
 JOHN ROBERTSON.

(4.)

By His Excellency SIR HERCULES GEORGE ROBERT ROBINSON, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of New South Wales and its Dependencies, and Vice-Admiral of the same.

To

Greeting,—

Know you, that in pursuance of the power conferred by the Agreements Validating Act, I, Sir Hercules George Robert Robinson, Governor of the Colony of New South Wales, do hereby, with the advice of the Executive Council thereof, authorize you to be the officer at _____ in the _____ of _____ in whose presence shall be made and subscribed every contract or agreement made in that place under the provisions of the said Act between any persons for any personal services to be rendered or performed within the said Colony of New South Wales.

Given under my hand and the seal of the Colony, at Government House, Sydney, in New South Wales aforesaid, this _____ day of _____ in the year of our Lord one thousand eight hundred and seventy-six.

(Seal of the Colony.)

By His Excellency's Command.

Entered on record by me, in Register of Patents, No. 10, page _____ this _____ day of _____ one thousand eight hundred and seventy-six.

For the Colonial Secretary and Registrar.

(5.)

STATEMENT authorized by the Government of New South Wales of the current rate of wages of labouring people in the Colony of New South Wales, and the cost of their house-rent, food, and clothing, to enable officers duly appointed by the Government and Executive Council to furnish necessary information to persons entering into engagements for service under the Act of the New South Wales Parliament, 39 Vic. No. 29.

Fee chargeable by the officer for certification of agreement in case of each person—Five shillings.

Sydney, New South Wales, 5 May, 1876.

SYDNEY, NEW SOUTH WALES—MAY, 1876.

THE following are the current prices paid for labour in some of the principal trades of the Colony, which of course vary somewhat in different districts:—

Compositors	1/ to 1/1	£ 1,000	Coppersmiths	1/2 to 1/4	£ hour
Carpenters	9/ " 10/	£ day	General fitters	1/1 " 1/3	"
Stonemasons	11/ " "	"	Blacksmiths	1/2 " 1/5	"
Stonemasons' laborers	8/ " "	"	Do. strikers	7/ " 9/	"
Plasterers	11/ " "	"	Iron moulders	1/3 " 1/5	"
Plasterers' laborers	8/ " "	"	Boiler makers	1/2 " 1/4	"
Bricklayers	11/ " "	"	Pattern makers	1/2 " 1/4	"
Bricklayers' laborers	8/ " "	"	Boiler makers' assistants	8/ " 11/	"
Painters	9/ to 10/	"	General laborers in iron works	7/ " 8/	"
Saddlers	45/ " 55/	£ week	Brass moulders	1/2 " 1/4	"
Tailors (paid by the piece) can average			Carriage and wagon builders	1/1 " 1/4	"
about	£3 to £3 10/	"	Carriage painters	10/ " 1/4	"
Shoemakers do. do.	£3 " £3 10/	"	Sawyers, in mill	10/ " 1/3	"
Iron turners	1/3 to 1/6	£ hour	Brass finishers	1/1 " 1/3	"
Engine fitters	1/2 " 1/4	"	Machine men in fitting shop	1/ " 1/3	"

The above trades connected with the Iron and Engineering Departments work eight hours a day with one or two breaks.

The following quotations for domestic servants, &c., are exclusive of rations or board, in town or country, which are not charged for:—

Married couples for stations	£55 to £65	£ annum	Gardeners (in town)	£52 to £65	£ annum
Farm laborers	35 " 45	"	Blacksmiths (country)	75 " 100	"
Bullock drivers	40 " 52	"	Cooks (private houses)	32 " 52	"
Horse-team drivers	40 " 65	"	" (hotels)	52 " 65	"
Boundary riders	40 " 52	"	Laundresses	32 " 45	"
Stockmen	40 " 75	"	House and parlor maids	26 " 35	"
Shepherds	35 " 45	"	General female servants	26 " 45	"
Road makers	52 " 65	"	Nursemaids	20 " 35	"
Grooms	40 " 52	"	Grooms and coachmen (in town)	45 " 65	"
Gardeners	40 " 52	"	Useful boys on stations	16 " 30	"

Current rate of wages without board or lodging:—

Wheelwrights (country)	£3 to £3 10/	£ week	Tinsmiths	9/	£ day
Brickmakers	22/6	£ 1,000	Galvanized iron workers	10/ to 12/	"
Potters	£2 10/	£ week			

The two trades last-mentioned work ten hours to the day.

Lumpers	1/	£ hour	Plumbers	10/	£ day
Wharf laborers	1/	"	Gas-fitters	10/	"

These two trades work eight hours to the day.

Coopers (on odd jobs)	12/	£ day	Coopers on piece as follows:—		
" on piece as follows:—			Hogsheads	5/6	each
Wine casks	22/6	£ tun	Ten-gallon kegs	3/	"
Oil casks	20/	"	Five " "	2/	"
Tierces	3/6	each	Two " "	1/9	"

HOUSE-RENT.

Small cottages in Sydney and in suburbs—3 or 4 rooms and kitchen	8/ to 15/ per week.
Small houses—3 or 4 rooms, with kitchen, &c.....	18/ to 30/ per week.
Other larger houses, from	30/ per week, upwards.

CURRENT

CURRENT PRICES OF CLOTHING IN SYDNEY FOR PERSONS OF THE LABOURING CLASS.

Clothing—Women's.							
Aprons, check	1/	to 1/3	each	Palliassees	14/	to 20/	each
Blankets	15/	" 18/	£ pair	Petticoats, calico	3/	" 4/6	"
Bonnets, straw	2/6	" 3/6	each	Do. flannel	5/6	" 8/6	"
Calico	6/	" 7½	£ yard	Rugs, hearth	8/	" 15/	"
Do. white	6/	" 7½	"	Shawls	6/6	" 15/	"
Caps	1/	"	each	Sheeting, calico	1/	" 1/9	£ yard
Dresses, merino	10/	" 20/	"	Do. white	1/3	" 2/6	"
Do. calico	2/6	" 7/	"	Shifts	3/6	" 5/6	each
Do. muslin	7/	" 12/6	"	Shoes	4/6	" 6/	£ pair
Flannel	1/3	" 2/	£ yard	Stays	3/6	" 5/6	each
Gowns, Coburg	9/	" 12/	each	Stockings	1/3	" 2/6	£ pair
Matrasses	14/	" 21/	"				

Clothing—Men's.							
Boots, strong	6/6		£ pair	Shirts, coloured	3/	to 4/6	each
Caps	2/		each	Do. flannel (under)	5/6	" 7/	"
Coats, shepherd's	17/6	to 21/	"	Shoes, strong	4/6	" 5/6	£ pair
Frocks, duck	2/9	" 3/9	"	Socks, cotton	6/	" 1/	"
Handkerchiefs, cotton	4/	" 6/	"	Do. woollen	1/3	" 1/6	"
Hats, cabbage-tree (drab)	4/6	" 6/	"	Stockings, cotton	1/	" 2/	"
Do. felt	3/	" 5/6	"	Do. woollen	2/	" 3/	"
Do. Manilla	2/6	" 4/6	"	Trousers, common (tweed)	10/6	" 15/	"
Do. straw	2/	" 3/	"	Do. duck	2/6	" 3/	"
Shirts, baize	5/	" 7/6	"	Do. moleskin	5/6	" 7/	"
Do. calico	3/	" 5/6	"	Vests, common (tweed)	5/6	" 7/	each

RETAIL PRICES—CURRENT RATES.

Bacon	1/		£ lb.	Meat—mutton, salt	1/4		£ lb.
Blue	1/			Mustard	10/	" 2/	£ lb.
Bread	3½		£ 2lb. lb.	Oil—kerosene	1/9	"	£ gal.
Butter, fresh	2/		£ lb.	Oatmeal	28/		£ cwt.
Do. salt	1/6	" 1/9	"	Pepper	10/	" 1/4	£ lb.
Candles, mould	5/		"	Potatoes	5/		£ cwt.
Cheese, English	1/8		"	Rice	20/	" 24/	"
Do. Colonial	10/		"	Sago	4/		£ lb.
Coffee	1/4	" 1/6	"	Salt	7/		£ cwt.
Eggs	1/	" 2/	£ doz.	Soap	26/		"
Flour	12/		£ cwt.	Starch	56/		"
Milk	6/	" 8/	£ quart.	Sugar	3/	3½, & 4/	£ lb.
Meat—beef, fresh	4/	" 6/	£ lb.	Tea	1/4	" 2/6	"
Do. do. salt	4/		"	Tobacco, American	4/		"
Do. mutton, fresh	4/		"	Do. Colonial	2/6		"

THE PRINCIPAL UNDER SECRETARY to G. F. WISE, Esq.

Colonial Secretary's Office,
Sydney, 6 May, 1876.

SIR,

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 authorize you to be the other officer to supply to the duly authorized officers under the Agreements Validating Act the current rates of wages for persons of their trades or callings, and of the current prices within the Colony of New South Wales for house rent, food and clothing, according to the latest advices, in accordance with the schedule of that Act.

2. The names and addresses of the officers already authorized are contained in the notice published in the *Supplementary Government Gazette* of this date, to which your attention is invited.

3. A notification of the authority thus conferred upon you will, I am to add, be published in the *Government Gazette* of the 9th instant.

I have, &c.,
HENRY HALLORAN.Colonial Secretary's Office,
Sydney, 6 May, 1876.

His Excellency the Governor, with the advice of the Executive Council, has been pleased to authorize George Foster Wise, Esq., Agent for Immigration for New South Wales,

to be the other officer to supply the current rates of wages for persons of their trades or callings and of the current prices within the Colony of New South Wales for house rent, food, and clothing according to the latest advices, in accordance with the schedule of the "Agreements Validating Act, 39 Vic. No. 29."

JOHN ROBERTSON.

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

REPORT FROM THE SELECT COMMITTEE

ON

COMMON LODGING HOUSES;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,

1 *August*, 1876.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1876.

1875-6.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 58. TUESDAY, 14 MARCH, 1876.

10. COMMON LODGING HOUSES ("Formal" Motion):—Mr. Cameron 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 management, accommodation, and sanitary condition of the Common Lodging Houses in the City of Sydney and immediate vicinity.
- (2.) That such Committee consist of Mr. Robertson, Mr. Parkes, Mr. W. H. Suttor, Mr. Davies, Mr. Farnell, Mr. Terry, Mr. Macintosh, Mr. Wisdom, and the Mover.
- Question put and passed.
-

VOTES No. 132. TUESDAY, 1 AUGUST, 1876.

3. COMMON LODGING HOUSES:—Mr. Cameron, as Chairman, brought up the Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this subject was referred on 14th March, 1876, together with Appendix.
- Ordered to be printed.
-

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1875-6.

COMMON LODGING HOUSES.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, appointed on the 14th March, 1876,—“with power to send for persons and papers, to inquire into and report upon the management, accommodation, and sanitary condition of the Common Lodging Houses in the City of Sydney and immediate vicinity,”—have agreed to the following Report:—

1. Your Committee have examined the witnesses named in the List,* and are of opinion that legislation with reference to the Lodging Houses of Sydney and Suburbs is urgently and immediately required. *See List, page 6.

2. The evidence which your Committee have obtained reveals a state of affairs existing in the heart of the metropolis, which is absolutely disgraceful, and calculated to work most injuriously upon the health and morals of the people.

3. Your Committee therefore recommend that a Bill should be passed by the Legislature as soon as possible, and that the said Bill among other matters should contain the following provisions:—

1. That all Lodging Houses should pay a license fee either to the Government or Municipal Council of Sydney, and that officers be appointed whose duty should consist in inspecting such houses, and reporting to the proper authorities any breaches of the law that may take place.

2. That each keeper of a Common Lodging House should be compelled to provide a certain amount of accommodation both as regards space, lavatories, waterclosets, &c.

4. Your Committee believe that if a measure of the above nature were to become law, many of the enormities, shocking to human nature and derogatory to the welfare of the community, which are now shown to exist, would be in a great measure if not altogether removed.

5. Your Committee cannot close this Report without particularly directing the attention of your Honorable House to the revolting and almost incredible statements contained in the evidence with regard to many of the Chinese Lodging Houses in this City.

No. 2 Committee Room,
Sydney, 27th July, 1876.

ANGUS CAMERON,
Chairman.

PROCEEDINGS OF THE COMMITTEE.

TUESDAY, 21 MARCH, 1876.

MEMBERS PRESENT:—

Mr. Farnell, | Mr. Terry,
Mr. Macintosh.

Mr. Farnell called to the Chair *pro tem*.

Entry from Votes and Proceedings appointing the Committee *read* by the Clerk.

Motion made (Mr. Terry) and Question.—That Mr. Cameron be Chairman of the Committee,—
put and passed.

Committee deliberated.

Ordered,—That the Sub-Inspectors of Police in charge of the different divisions of the City of Sydney be summoned to give evidence next meeting.

[Adjourned to Friday next at Two o'clock.]

FRIDAY, 24 MARCH, 1876.

MEMBERS PRESENT:—

Mr. Cameron in the Chair:

Mr. Farnell, | Mr. Terry,
Mr. Parkes, | Mr. W. H. Suttor,
Mr. Macintosh.

Mr. James Rush (*Acting Sub-Inspector of Police*), called in and examined.

Witness withdrew.

Mr. S. D. Johnston (*Acting Sub-Inspector of Police*), called in and examined.

Witness withdrew.

Mr. George Waters (*Sub-Inspector of Police*), called in and examined.

Witness withdrew.

Mr. Nicholas Larkins (*Sergeant of Police*), called in and examined.

Witness withdrew.

Committee deliberated.

Ordered,—That Senior-Constable Mulqueeny, Dr. Dansey, and Mr. Richard Seymour, be summoned to give evidence next meeting.

[Adjourned to Thursday next at Two o'clock.]

THURSDAY, 30 MARCH, 1876.

MEMBERS PRESENT:—

Mr. Farnell, | Mr. Terry,
Mr. W. H. Suttor.

In the absence of the Chairman, Mr. Farnell called to the Chair *pro tem*.

Mr. Richard Seymour (*Inspector of Nuisances*), called in and examined.

Witness *handed in* Paper giving statistics in reference to Common Lodging-houses, which was ordered to be appended. (*See Appendix: A.*)

Witness withdrew.

Dr. G. F. Dansey (*City Health Officer*), called in and examined.

Witness withdrew.

Mr. Thomas Mulqueeny (*Senior-Constable*), called in and examined.

Witness withdrew.

Committee deliberated.

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

[Adjourned.]

WEDNESDAY, 12 APRIL, 1876.

In the absence of a quorum, the meeting called for this day lapsed.

TUESDAY, 18 APRIL, 1876.

In the absence of a quorum, the meeting called for this day lapsed.

TUESDAY,

TUESDAY, 2 MAY, 1876.

MEMBERS PRESENT:—

Mr. Farnell, | Mr. Cameron.

In the absence of a quorum, the meeting called for this day lapsed.

FRIDAY, 5 MAY, 1876.

MEMBERS PRESENT:—

Mr. Farnell, | Mr. Terry.

In the absence of a quorum, the meeting called for this day lapsed.

WEDNESDAY, 10 MAY, 1876.

MEMBERS PRESENT:—

Mr. Cameron in the Chair.

Mr. W. H. Suttor, | Mr. Farnell.

Michael Chapman, Esq. (*ex-Mayor of the City of Sydney*), called in and examined.

Witness withdrew.

Mr. David C. Robertson (*Inspector of Water Waste for the City Corporation*), called in and examined.

Witness withdrew.

Committee deliberated.

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

[Adjourned.]

THURSDAY, 27 JULY, 1876.

MEMBERS PRESENT:—

Mr. Cameron in the Chair.

Mr. W. H. Suttor, | Mr. Wisdom,
Mr. Farnell.

Chairman submitted Draft Report, which was read 1^o, as follows:—

“THE SELECT COMMITTEE of the Legislative Assembly, appointed on the 14th March, 1876,—‘with power to send for persons and papers, to inquire into and report upon the management, accommodation, and sanitary condition of the Common Lodging Houses in the City of Sydney and immediate vicinity,’—have agreed to the following Report:—

1. Your Committee have examined the witnesses named in the List,* and are of opinion that See List, page 6. legislation with reference to the Lodging Houses of Sydney and Suburbs is urgently and immediately required.

2. The evidence which your Committee have obtained reveals a state of affairs existing in the heart of the metropolis, which is absolutely disgraceful, and calculated to work most injuriously upon the health and morals of the people.

3. Your Committee therefore recommend that a Bill should be passed by the Legislature as soon as possible, and that the said Bill among other matters should contain the following provisions:—

1. That all Lodging Houses should pay a license fee either to the Government or Municipal Council of Sydney, and that officers be appointed whose duty should consist in inspecting such houses, and reporting to the proper authorities any breaches of the law that may take place.

2. That each keeper of a Common Lodging House should be compelled to provide a certain amount of accommodation both as regards space, lavatories, waterclosets, &c.

3. That increased powers of entrance be given to the police in order that the proprietors of many houses which are now represented as Lodging Houses (but which your Committee have reason to believe are merely kept for immoral purposes between the sexes, and in which crimes are frequently committed) may be more easily brought to punishment than at present.

4. Your Committee believe that if a measure of the above nature were to become law, many of the enormities, shocking to human nature and derogatory to the welfare of the community, which are now shown to exist, would be in a great measure if not altogether removed.

5. Your Committee cannot close this Report without particularly directing the attention of your Honorable House to the revolting and almost incredible statements contained in the evidence with regard to many of the Chinese Lodging Houses in this City.

6. Your Committee are of opinion that unless strong action is brought to bear to remedy the immoralities alluded to, that restrictive legislation with reference to any increase of Chinese population to this country will become an absolute necessity in the interest of all other sections of the people of this country.”

On motion of Mr. W. H. Suttor, Draft Report read 2^o, paragraph by paragraph.

Paragraphs 1 and 2 read and *agreed to*.

Paragraph 3, Preamble, read and *agreed to*.

Sub-paragraphs 1 and 2 read and *agreed to*.

Sub-paragraph 3 read and *omitted*.

Paragraph as amended *agreed to*.

Paragraphs 4 and 5 read and *agreed to*.

Paragraph 6 read and *omitted*.

Report as amended *agreed to*.

Chairman to report to the House.

LIST

LIST OF WITNESSES.

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1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON

COMMON LODGING-HOUSES.

FRIDAY, 24 MARCH, 1876.

Present:—

MR. CAMERON,
MR. FARNELL,
MR. MACINTOSH,

MR. PARKES,
MR. W. H. SUTTON,
MR. TERRY.

A. CAMERON, Esq., IN THE CHAIR.

Acting Sub-Inspector James Rush examined:—

1. *Chairman.*] You are, I believe, an acting Sub-Inspector of Police? Yes.
2. As such, in the performance of your duty, have you had an opportunity of observing the common lodging-house accommodation of Sydney? Very little; I have not been in Sydney for nearly fifteen years until the last fourteen months. Acting
Sub-Inspector
Rush.
3. During the time you have been in Sydney have you had opportunities of observing these houses? Very little; the part of Sydney under my charge has very few lodging-houses in it. It is the south end of Sydney—about Parramatta-street. 24 Mar., 1876.
4. Are there in this district cheap lodging-houses in which seamen and seafaring men occasionally put up? There are not any that I know of.
5. Are there not some restaurants in which accommodation is afforded for lodgers? I do not know of above two, and they can scarcely be called restaurants. I know of two about the Haymarket that are called restaurants.
6. There is one nearly opposite the Railway Station—is there not? Yes.
7. Have you any idea of the accommodation afforded at these places? I do not think they have good accommodation at all. I see a number of men sitting outside, or remaining inside, until very late hours. I believe they stay there all night, and I often wonder where they put them.
8. You would be inclined to believe, from what you have observed, that these places are occasionally overcrowded? That place in particular. I never was inside, as I never have had occasion to go there.
9. Have you ever had occasion to observe whether the place was kept in a cleanly manner or not? Not as clean as I should like to have a place of my own. This place I speak of it seems to be too crowded to be clean.
10. Have you any idea how many rooms there are in it? No; I have never been in it. It is a small house. I should think it has not more than six rooms in it.
11. And how many lodgers have there been? Sometimes there are twenty sitting there till late at night. I could not say they all slept there. It is only a supposition on my part that they did.
12. It is pretty well known, is it not, that these people sleep three or four in a room? I think more than that.
13. How many should you think sleep in a room in that house? I should imagine, if all the men I have seen there sleep there for the night, there must be at least eight in a room—as the landlord must have a room for himself and his family.
14. Have the police no power of entering these places? None.

- Acting Sub-Inspector Rush.
24 Mar., 1876.
15. Nor are there any regulations compelling the landlord to provide a certain amount of accommodation? No.
16. What do these men pay weekly for board and lodging? I do not know; I believe if they merely sleep there for the night they are charged a shilling.
17. Do you know what is the charge per week? I do not know the general scale, but I believe the ordinary charge for board and lodging-houses of that kind is from 18s. to £1 a week.
18. And the lodgers pay in addition for their washing? Yes, I think so. The police labour under a great difficulty with regard to these houses, as they have no power to enter them, and in some cases they are kept by women of loose character, and although we are allowed to go into them by the owners they have the power to refuse us admittance if they choose.
19. Do you think it would further the ends of justice or of morality if the police had that power? Yes, I think the police should have the power, or that it should be placed in the hands of such members of the force as would have discretion to use it.
20. I presume there are in the lowest parts of the town houses kept by loose characters? Yes, a great many.
21. In what localities? In all parts of Sydney; I do not think there is any part exempt; but some are so quiet that it is a long time before they become known even to the police, and we learn of them only by persons of the better class giving us information privately.
22. In this class of houses the accommodation I presume is of a very meagre kind? Yes.
23. They are cheap lodging-houses? Yes.
24. And are generally kept in a very filthy condition? Yes. About Durand's-alley and Goulburn-street many Chinamen live, and about there a number of women of the lowest classes gather and live as the wives of these people, and no doubt many of them are married. They are not lodging-houses, but a good many live in one house like a lot of swine or worse, and although we sometimes visit them we have no power to interfere.
25. *Mr. Parkes.*] How long have you been in the Police Force? Twenty-one years in this colony, and four years at Home.
26. Were you in the Police Force in London? In the City of London Police Force.
27. Was your attention drawn to the condition of lodging-houses in London? No.
28. Has your attention ever been turned to the subject here? No.
29. Are you acquainted with the laws in existence in some parts of the world in regard to common lodging-houses? I know there is a law regulating them in the City of London—I have read it.

Acting Sub-Inspector Samuel Dillon Johnston, examined:—

- Acting Sub-Inspector Johnston.
24 Mar., 1876.
30. *Chairman.*] You are, I believe, acting Sub-Inspector of Police? Yes.
31. Of what district? No. 4 subdivision of Sydney.
32. What part of the town is that? Bounded by Hunter-street and Margaret-street.
33. The Northern? Yes.
34. Are there in your district many lodging-houses? There are about thirty-five.
35. Of what character are they? They are principally low lodging-houses, kept by people who obtain their living by keeping lodgers.
36. When you say "low lodging-houses," do you mean low in character, or merely conducted on a low scale of charges? I mean that the people who have them live by keeping lodgers, that they are not houses in which merely two or three lodgers reside.
37. What class of men reside in these lodging-houses? Principally sailors and working men.
38. Diggers? Diggers.
39. What is the current rate for accommodation in these places? 15s. a-week is about the usual charge.
40. Is that the usual figure? That is the usual figure.
41. Can you give the Committee any idea of the class of accommodation provided for these people? I have visited nearly the whole of these houses since I have had charge of the division, and I have found the bedding very clean, the rooms clean, and, with two or three exceptions, well ventilated.
42. As a rule how many sleep in a room? I found in one room fifteen single beds.
43. Was it a large room? About 30 feet by 20. It was certainly overcrowded; there was scarcely room to pass between the beds.
44. Was it well ventilated? Very well ventilated. It is a house in George-street, north.
45. *Mr. Parkes.*] Were the beds clean? They were clean.
46. *Chairman.*] Do you think in the generality of these houses there is good ventilation? During my inspection I found the houses as a rule cleaner than the low class public-houses are.
47. You have no absolute power to visit these places? No, but I found whenever myself and a Sergeant of Police who accompanied me wished to enter any place in no instance was an objection made to our going in.
48. Do you think it would further the ends of justice or morality if the police had the absolute power to enter these places? I think it would, because in some of the lodging-houses there are generally a very low class of people, and in fact even now our duties bring us very frequently into these houses.
49. Have you been long in the force? Twenty-one years.
50. In the city? Not in the city—I have been about four months in the city. I have been up the country in different parts.
51. Do you not know that in other colonies there are laws which give the police the power to enter these lodging-houses? I believe there is a Lodging-house Act in London, and that there is also one in Victoria.
52. *Mr. Farnell.*] The lodgers you have spoken of as lodging in these houses are they male or female? All males.
53. Are there any female lodging-houses? No; I did not find one in any of the houses I visited. I may say we have not visited any private lodging-houses where only three or four persons have been boarding, but confined ourselves to those houses which would come under the class of common lodging-houses.
54. You do not know where females coming from Home, from the country, or from the neighbouring colonies, when they arrive in Sydney and are strangers here, lodge for the first night or two after they arrive? I think, as a rule, for the first night or two after their arrival they stay at a public-house, and afterwards find their way into private boarding-houses. I have never seen any of them in these boarding-houses I describe.

55. What is the difference between a boarding-house and a lodging-house? Boarding-houses generally in my division are kept by persons whose husbands are in some employment, and who keep one, two, or three boarders as a help.

Acting
Sub-Inspector
Johnston.

56. Were you in the Police Force in London? No; I was in the force in Victoria. I joined the police in 1853.

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57. Was the law regulating lodging-houses in force in Victoria when you were there? No; it was in the digging times, and the lodging-houses in Melbourne were of a very low class.

58. It is your opinion that the police should have some power of inspection over these lodging-houses? I think it would be a great improvement, and I believe the owners of the lodging-houses themselves would like it.

59. *Chairman.*] What do you think they would like it for? They think they would be better protected by the police going in; in many cases they tell me the lodgers go away without paying for their board; and they think if they were under the supervision of the police they would be more protected.

60. *Mr. Farnell.*] Are there any Chinese lodging-houses in your division? Two or three.

61. What is their character? They are not much better than brothels.

62. *Mr. Parkes.*] They cannot very well be brothels if there are no women in them? There are women in these cases. There are three or four in my division very low indeed.

63. *Mr. Farnell.*] Do you mean that the Chinese themselves keep these women? There are always a lot of women there—some of the lowest prostitutes.

64. Are there any children of tender age? No, not any children; I have seen girls about the age of 15.

65. Do you know whether any Chinese sublet any of these houses to prostitutes? I think not. The place where this class are to be met with is in a street leading from Pitt-street to George-street, called Queen-street.

66. You are aware that there are a number of respectable lodging-houses throughout the City? Yes.

67. Where gentlemen and persons from the country lodge? Yes.

68. Would you give the police similar power to inspect these as well as the lower class of lodging-houses? I hardly think there would be any necessity for that. For instance, there is one in my division, in Kent-street, where there are now forty beds made up. I have inspected that, and it is about the cleanest house I know in Sydney. It is kept by James, in Kent-street.

69. How many sleep in a room there? In some rooms there are four beds; there are not more than four beds in any room. I think there are twenty rooms in the house.

70. *Mr. Farnell.*] When I speak of respectable boarding-houses I mean such houses as are situated in Macquarie-street? I think there is no necessity for supervision in that sort of boarding-house. I never heard any complaint of them, and in fact I never had occasion to visit them.

71. *Mr. Parkes.*] Nothing wrong goes on there? I think not.

72. In what districts in the country have you been stationed? Six years at Campbelltown and five years at Kiama.

73. You said just now that in some lodging-houses there were thirty-five beds? Yes, in a large room; but the room was well ventilated, and the beds were clean.*

74. When you have been in the country have you never noticed accommodation houses for persons where there was neither the same ventilation nor the same cleanliness? I have seen houses in the country which have been in a filthy state, and badly ventilated.

75. Where the inmates would have gladly exchanged their lodgings for these clean beds and well ventilated rooms? Yes.

76. At this house, where there was this room with fifteen beds, I suppose they took in lodgers at a very low rate? Yes, I think at 15s. a week.

77. In your judgment was there anything detrimental in sleeping in this room, which you say was large and well ventilated? No, there were four large Venetian doors, opening on to a balcony facing the harbour.

Sub-Inspector George Waters examined:—

78. *Chairman.*] You are one of the Sub-Inspectors of Police? I am.

79. In what district do your duties lie? In the Darlinghurst district.

Sub-Inspector
Waters.

80. Are there any lodging-houses there? I believe not—what you may call common lodging-houses.

81. Before you took charge of the district in which you are now placed you were engaged in the heart of the city? Yes.

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82. Did you then have any occasion to observe the character of these common lodging-houses? Yes, I had frequently; daily almost.

83. What impression was made on your mind as to the nature and mode of conducting those places? I have been away over twelve months; but at the time I left there were some of them very bad indeed; very low and filthy.

84. Can you tell the Committee in what locality those houses are to be found? In Clarence-street, some few in Kent-street, and Sussex-street.

85. Druiitt-street? About the bottom of Druiitt-street there are one or two of very bad description indeed.

86. Do these people have many lodgers? Yes; in fact there were some of them, as far as I could judge, who were not at all guided by whether they had actual accommodation or not; if there were only room on the floor they would charge the 6d.

87. There are a good many houses that are called sixpenny lodging-houses? Yes.

88. And they take in as many —? As many as can lie down in the place. The owners will say, "We have not got a bed for you but you can lie down there."

89. Are these houses kept in a dirty condition? Many of them are—very.

90. How many do you think you have seen in a room at one time? I think I have seen ten or twelve in a room about 12 or 13 feet square; perhaps six or seven beds, on each of which lay one, and the rest on the floor.

* NOTE (on revision):—The large room I speak of contained fifteen beds—the house thirty-five beds.

- Sub-Inspector 91. Is there not a higher class of lodging-houses in which diggers and seafaring men put up sometimes?
Waters. Yes, that is a different class.
92. What sort of accommodation do they generally get? Very fair.
- 24 Mar., 1876. 93. But even in them do not the lodging-house keepers put more than one man in a room? Yes; and some of the beds are put almost as close as they can be against the others; they are single beds.
94. Do you think from your experience that the manner in which those houses are conducted is conducive to immorality? I could not say about that. I have known of one or two cases—I have found persons of both sexes in the same room. Where there may have been altogether a dozen persons there may have been one or two females.
95. Even these of the higher class are not I suppose the kind of places you would like to reside in yourself? Certainly not sailors' lodging-houses, or even diggers' lodging-houses.
96. Can you give the Committee any idea what these sailors and diggers are generally charged? I think 1s. a night.
97. I mean per week for board and lodging? I could not say.
98. Have you no idea? I think from 18s. to £1 a week. I do not know what may be the charge now that rents are dearer.
99. Do you think it would further the ends of justice if the police had absolute power to visit these places? I have no doubt it would be; indeed I think some sort of supervision is absolutely necessary.
100. Have you come across any houses kept by Chinese? Yes.
101. With female lodgers? Yes.
102. Any young females? Yes, they are generally young that are picked up by Chinamen.
103. Under 20? Yes. I have had them under 16; I have had them dealt with under the Industrial Schools Act, and they must be under 16 to be dealt with by that Act.
104. Have you known those people to sublet their room for purposes of prostitution? Chinese?
105. Or Europeans either? Yes, I could point out one or two houses where I believe they do that.
106. Are there a number of houses about Sussex-street of a very low character indeed? Yes.
107. Do you not think it would be a good thing to give the police more immediate power to supervise these places than they have at present? Yes, no doubt; but I have never known any case where the police have been prevented from visiting—not visiting with the view of seeing whether the place was properly conducted, but for the purpose of looking after suspected persons.
108. But they have the power to evade the vigilance of the police? Yes.
109. It would take this power out of their hands if the police could enter by authority of the law? Yes, we have now no power to enter.
110. Have you ever noticed it in the rooms in this kind of house any attention is paid to ventilation? They are very badly ventilated.
111. How long have you been in the police? Nearly twenty-two years in this city.
112. Anywhere else? I was in the London police. I was in London when what I think was called the Model Lodging-house Act was passed.
113. *Mr. Macintosh.*] You are not aware what Act is in operation in Victoria? I am not.
114. Is it not administered by the Municipal authorities? I could not say.
115. Why should the police be admitted into these more than into other houses? As far as the police are personally concerned I dare say they have no wish to be admitted; but if you are going to legislate in the matter, and they are to have any supervision, it would be necessary that the power should be given them.
116. Would it not be better to license the keepers of these houses, who should be persons of proper character, and who should be permitted to receive so many lodgers and no more, according to the amount of their accommodation? Yes, but there must be some supervision to ensure the carrying out of the law.
117. You think the police would be the fit persons? I do not wish the duty to be cast upon the police, but it must be done by somebody.
118. But you think it would be well to license the lodging-houses to receive a certain number of lodgers? Yes.
119. According to the size and number of their rooms? Yes.
120. You believe that a regulation of that description would be all that would be required? Not without any inspection, certainly not. If the houses were licensed it would be necessary that there should be some inspection, otherwise the licensing would be a dead letter.
121. What regulations would you suggest for such places as those in Drutt-street, Cohen's Court, and such places where there is a description of promiscuous lodging? Such places as Cohen's Court I do not think would come within the meaning of the Act at all—that is a different class of place altogether.
122. Are you not aware that persons have gone to such places to lodge at a merely nominal rate? Not at such places as Cohen's Court if you allude to that particular class.
123. Cohen's Court is now removed? It was one of the lowest places I knew, but no man would think of going to stop there above a couple of hours; but there are other places no doubt where people go and lodge for a night only.
124. Men and women? Yes, where they go for several hours or for the night, and no questions asked.
125. And their pretensions are a little above what are termed bawdy-houses? I do not know what their pretensions are, but they are not exactly the same as are called bawdy-houses; they are what they call lodging-houses. It is possible in some cases they might ask if the parties were married, and if they said they were there would be no further questions asked.
126. If some regulations were made to govern such places would it not tend to the good government of the city? No doubt they could be all brought within the meaning of lodging-houses, where promiscuous persons may go for a night even.
127. With regard to a class of persons connected with these lodging-houses, generally known as touters, do you think there could be any means devised of bringing them under rule? No doubt the class referred to is a very great nuisance. These people cause a great deal of annoyance, although in some cases they may be of service to persons arriving here and who are entire strangers.
128. The persons I refer to are those who infest the steamer's wharves and railway stations for the purpose of meeting strangers and taking them to lodging-houses? Yes, these people often take strangers into very filthy houses, and I have known diggers to have been taken to some of these places, who as soon as they have dropped their swags and looked round have been so disgusted at the appearance that they have picked up their things and left the house, even at 12 o'clock or at 1 in the morning.

129. Can you suggest any means by which these persons could be brought under regulations? If the houses were properly conducted there would not be so much harm in these people bringing strangers to them. Sub-Inspector
Waters.
130. *Chairman.*] Have you ever heard of people being robbed in these places? Frequently. 24 Mar., 1876.

Sergeant Nicholas Larkin examined:—

131. *Chairman.*] You are, I believe, a sergeant of police? Senior sergeant. Sen.-Sergeant
Larkin.
132. As such have you had considerable experience of all the lodging-houses in Sydney nearly? Yes. 24 Mar., 1876.
133. How long have you been in the police? Over thirteen years, and nearly fourteen in the city.
134. Have you ever had your attention drawn to the character of the lodging-house accommodation in the city? Yes, I have been nearly all through the lodging-houses of the city recently in connection with the Sewage Commission.
135. What is your impression of the accommodation afforded in the houses generally? The accommodation is generally very bad—the houses very much overcrowded.
136. When you say overcrowded, would you kindly describe to the Committee any scenes you have witnessed, or what you have seen in these houses? Houses in the central portion of the city generally have from four to six rooms,—the rooms are generally from 10 to 14 feet square. I have seen as many as six or seven beds in a room 12 feet square, with only one window, and that window not coming down at the top, but only left up at the bottom. They have these common stretchers, and the clothes on them have been very filthy.
137. Were vermin in the beds? Yes.
138. Where are these houses generally situated? A great number of them in Clarence-street, and some in Sussex-street. What they call the sixpenny lodging-houses are the dirtiest.
139. When you say sixpenny lodging-houses I presume you mean places where beds are let at 6d. a night? Yes.
140. *Mr. Parkes.*] Will you fix upon some one in particular that you have observed in your recent visit, and describe that? I do not know the number of it, but it is near the corner of Market and Sussex streets, and is kept by a woman named Ward. I think there are in that house six rooms and a kitchen; there are four beds in the front room down-stairs (the sitting-room, as it is called); the back room is where the family sleep; there are seven beds in the front room up-stairs, two beds on the landing, and five beds in the back room. In like manner, on the upper story, there are seven beds in the front room and four in the back.
141. Where do the family eat? In the front room down-stairs. They use these beds as seats in the day-time; they are common stretchers with rails, not of the same kind as those used up-stairs.
142. Keeping to that house—what kind of persons are the customers: are they casual persons who go there for only a night or two, or persons who board there for a longer period—a week, a fortnight, or a month? I could not say about the boarding—they, many of them, lodge there for months together. As a rule they go there casually for a night; that is why they are called sixpenny lodging-houses.
143. It is where any person can go and get one of these stretchers for a night? Yes.
144. Within your knowledge is that house used for any other purpose than as a lodging-house? Not that I am aware.
145. It is not used for any purpose between the sexes? I do not think so.
146. The lodgers eat in the room where they sleep? I think they do in the front-room down-stairs.
147. There is no other room? No.
148. There is no room where there are not beds? No, none, but I think they are principally lodgers and not boarders in that house.
149. Are there many houses similar to that? Yes, I dare say some twenty at all events.
150. In the streets to which you have alluded? In the central portion of the city, in Sussex and Clarence streets.
151. *Chairman.*] Are you ever called upon to interfere in any of these houses such as you have mentioned for the purpose of preventing immoral practices? No, I cannot say I have been.
152. Have you ever been called in in case of robberies? Yes, frequently; that is the reason I have had such access to these places.
153. As a matter of fact have you had to interfere in places of this character to prevent brawls and fights? No, I cannot say I have; of course when anything takes place inside I have no power to interfere.
154. Do you think it would be conducive to the ends of justice if you had that power? It might be in many instances. We have not the power to enter now, but it is very rarely that they prevent or object to the entrance of the police.
155. With reference to another class of lodging-houses, such as those in Erskine-street, where seafaring men put up, can you give the Committee any idea of the accommodation provided? Yes, I think so. In Sussex-street near Market-street there is a house called the California boarding-house, where there are two houses together, and I think the same person holds both—where there are thirty-eight people accommodated.
156. How many does he put in one room? According to the size of the room—four, five, six, and so on.
157. It is very unusual I presume for a man to have a room to himself? No man in that house has a room to himself. There are thirty-eight people there, besides three servants, the landlord, his wife, and the father and mother. In all there will be about twelve rooms in that house at the very utmost.
158. Is that kept in a cleanly state? Yes; the ceilings are higher than they are in the general run of boarding-houses; and in the rooms, which are about 14 feet square, there are four beds.
159. What do these people pay for this accommodation—board and lodging? 17s. 6d., I think, or 18s. a week.
160. Are there other houses of the same class differently conducted? There are other houses of the same class not so well ventilated, where the rooms are more overcrowded, where the ceilings are lower, the windows not so large, and the sewerage is more offensive.
161. Have you ever seen any of those houses that you consider to be kept in a bad state? My opinion is that the most of them are unfit for anything like decent accommodation.
162. *Mr. Macintosh.*] Would any of the public-houses about your district answer to the description you have given of these lodging-houses? Yes, many of them.
163. Do you know a class of men called "The Forties"? Yes. 164.

- Sen.-Sergeant Larkin.
24 Mar., 1876.
164. You have a tolerable acquaintance with most of them? Yes.
165. Can you tell us whether any of these individuals lodge in the class of houses you have described? Yes, they lodge in the sixpenny boarding-houses, and we generally find them in bed at 12 o'clock in the day; they are often lying quite naked on the beds, and the stench coming from the rooms is horrible; as soon as you open the door the effluvia is enough to knock you down.
166. What class of men are these "Forties"—what is their occupation? They are a band of thieves. Some ten years ago, before the Industrial Schools Act came into operation, a number of youngsters were on the streets; they used to sleep about the wharves, lived on thieving, and were ready to snap up anything they came across. I do not know how they came to be christened "The Forties," but when they grew up to be men the name stuck to them, and they continued their old habits. They prowl about all night, go to one of these places about 4 or 5 o'clock in the morning, and sleep till 1 or 2 in the day.
167. Do you think it would be advisable, for the benefit of the community generally, that lodging-houses should be licensed and restricted to a certain number of lodgers, according to the amount of accommodation they could afford? I do.
168. Do you think there is any danger to strangers coming to this city in being taken to these lodging-houses, looking to the character of the men who frequent them? Yes, there is great danger, as their property is entirely unprotected. In many instances unsuspecting people from the country and diggers come to these places with money and gold to a considerable amount; they are conducted to these houses, and when they awake in the morning find themselves minus their property.
169. Is there not even a lower grade of houses than these sixpenny lodging-houses? No, except brothels.
170. Is there not a class of threepenny lodging-houses? No, not that I am aware of.
171. How do these people get their customers—how do they make themselves known? They generally have a board out, and a light burning either outside or near the door till 1 or 2 o'clock in the morning.
172. Is there no other means used by them to get customers? No.
173. Do they not use touters or runners? Not these sixpenny lodging-houses; the boarding-houses have men who attend the boats and railway stations.
174. Improper characters such as you have described do not frequent these boarding-houses? Not so much. In many instances they may, but not as a rule; not in bodies. You might find one or two in these houses, but they do not go in numbers as they do to the sixpenny houses.
175. You think, upon the whole, it would be desirable to place such houses under the supervision of the police? Yes, I think if they were licensed and placed under some supervision it would be a great improvement.
176. To bring them under the surveillance of the police, or of the municipal authorities? Under some authority to prevent overcrowding.
177. Do you not think these persons might object to policemen visiting their houses? I do not think so.
178. You have not been objected to? In very few instances.
179. You seldom, if ever, wear police clothes, I believe? Never, or very rarely when Courts of Quarter Sessions or Criminal Courts are held.
180. Therefore the objection to your visitations might be less because you would not be known to belong to the police? There might be something in that; I think there might be an objection to the police going in uniform.
181. *Mr. Parkes.*] Do you not think objections might arise from the lodgers? The lodgers might not like to see the police there, but if the consent of the parties connected with the house were given that would be all the police would require. Of course the police would not interfere with the lodgers.
182. Do you not think the ease, comfort, and feeling of lodgers ought to be respected. Suppose an honest but poor person to be travelling who could afford only to pay sixpence for his accommodation, do you think he should be liable to have his feelings wounded by a night visitation from a policeman? Most decidedly not; but we should not go without some reason, unless we suspected some person of the commission of an offence.
183. Precisely; but if the law were altered as suggested you would be able to go without any such cause? I think it would be very aggravating to anyone to have continual visits from any officer.
184. What I want to get at is this: There are many people who frequent these lodgings, and who keep them in existence, who are very poor, and who would not go if they had the means of going where they could obtain superior accommodation;—do you not think their privacy should be respected? I think so, decidedly.
185. *Chairman.*] Do you think if the police had the power they would be likely to abuse it? I am quite satisfied it would not be abused. Of course there are young members of the force who might not act with discretion, but I imagine this power would not be given indiscriminately to the police, but only to a certain number, who from their experience and length of service could be relied upon to use it wisely.
186. *Mr. Macintosh.*] You have had no objection made to you because you are known to act with discretion? Yes, I presume so.
187. And your duties are all special and appertaining to that kind of inquiry? Yes.
188. Could you offer to the Committee any suggestions as to what you believe would be an improvement in the management of these lodging-houses? The chief suggestion I could make would be with reference to their licensing, supervision, and ventilation. At present some of the keepers of these houses are persons of questionable character, and in few instances they have been suspected of being parties to robberies perpetrated in their houses.
189. Would your remarks apply to some public-houses as well as to lodging-houses? They would, a few. Lodging-house keepers are, many of them, under the impression that a supervision of some kind would be better for them, as at present the scale they receive from lodgers is too low.
190. How many public-houses would answer the description you have given? I could hardly give an opinion—I dare say in the central portion of the city five or six.
191. The other public-houses are not objectionable? No.
192. You know a class of men called runners;—are they generally respectable? No; some of them very questionable.
193. They infest the railways? Yes, and boats.
194. And they bring strangers to these places where the "Forties" lodge? No, I cannot say that, though they are very frequently robbed in those boarding-houses.
195. *Mr. Terry.*] In fact I suppose the runners belong to the band of the "Forties"? No. Of course I have said before that some of them were questionable.

196. In reference to these Chinese lodging-houses—what description of houses are they? They are very filthy. They are not so much in the central portion of the city, but there are a lot of them congregated about Goulburn-street, Seal's-lane, and Durand's-alley. Sen-Sergeant
Larkin.
197. *Mr. Macintosh.*] Seal's-lane is better known as Quigley's-lane, between George and Pitt streets? 24 Mar., 1876.
Yes.
198. I suppose men and women infest these lodging-houses? Yes, there are a lot of women living there with the Chinese.
199. Chinese or European women? European.
200. *Mr. Parkes.*] This Committee has been appointed to inquire into the management, accommodation, and sanitary condition of common lodging-houses;—how would you define a common lodging-house or distinguish it from any other house where boarders were taken in? Any house in my opinion where strangers can be accommodated for a night, or two, or three—where runners are kept to attend the wharves, and travellers are accommodated.
201. You must be aware that all over the world the largest hotels keep persons, who attend railway stations and other places to meet strangers? It is not so as a rule here I think.
202. In all parts of the world these hotels have cabs, omnibuses, and people waiting to convey strangers to them from railway stations? I certainly would not include them. I mean by common lodging-houses such places as I have described, where people pay from 16s. to 18s. a week.
203. Would you consider that a common lodging-house to which a person can go at any period during the twenty-four hours for a night's lodging as distinguished from those places where the inmates board by the week? Yes.
204. There are some places taken by widow ladies who let rooms and take boarders by the week;—would you call those common lodging-houses? No.
205. You would not call it so unless it were open to any one to come to it at any time and take a single night's lodging? In that sense it might be said that every hotel was a common lodging-house, and I was going to draw a line between these houses, where they pay 18s. a week and the sixpenny lodging-houses.
206. You have visited a great many of these common lodging-houses which come under the description we have just agreed upon? Yes.
207. Do you think their condition would be improved by any legal regulations? If the overcrowding could be prevented it would be an improvement.
208. In the event of any interference with them at all should you think it desirable that a certain number of cubic feet of space should be insisted upon for each inmate, and that the rooms and beds should be kept in a cleanly condition? I think also there should be a regulation to ensure proper ventilation.
209. Suppose ventilation were included in the regulations would that be sufficient? I think it would be an improvement, but I do not think it would be sufficient.
210. What more would be required? A better class of houses; houses better adapted to the purpose.
211. You would not have houses built for the purpose I presume? It would be much better if they were; and I believe they would pay very well.
212. If houses were allowed only to accommodate a certain number, according to the space afforded, do you not think that would be a sufficient regulation without specifying any particular kind of house? That would be a very great improvement.
213. Should you consider it necessary to give the police power to enter any house of this kind at any hour of the day or night if this were done? Yes, or some other officer should have the power.
214. Would it not be quite sufficient if the law provided that the houses and beds should be kept in a cleanly state, that the rooms should be well ventilated and not overcrowded, and that the houses should be liable to visitation at any time during the day? Yes.
215. I suppose in the event of the Legislature insisting upon such regulations you would recommend that some certificate of character should be produced by the person desiring to keep a house of this description? Yes, that would be a great improvement for the safety of the people stopping at them.
216. Are you acquainted with any other city besides Sydney? No.
217. You must have I presume some information about the state of other great cities? Yes, a good deal.
218. Have you any reason to suppose that Sydney is worse off in respect to these matters than other large cities? No, excepting with regard to climate. Of course in London, lodging-houses are visited by the police, by members of the force specially detailed for that purpose.
219. I should like to ascertain from you, as you seem to have had special experience in these matters, whether we have a larger proportion of the disorderly classes than are to be found in other large cities? I do not think so.
220. Is not the city upon the whole, considering its extent, that it is a seaport, and that we have a very large floating population, a very orderly city? Yes.
221. And very free from depredations? Yes, it has very much improved within the last ten years.
222. With regard to these lodging-houses have complaints been made to you by the sufferers of the bad lodgings, and of not being properly attended to? They have occasionally complained; but the persons who have generally complained to us are those who have stated that being strangers in Sydney they have been taken to these places by the men who hang about the steam-boat wharves and railway stations, and perhaps have been robbed of £50, £60, or £100.
223. I suppose these robberies are not common occurrences at all? No, but petty robberies are pretty common.
224. *Mr. Suttor.*] What occupation, as a rule, are the persons who occupy these common lodging-houses—persons from the country? No, people about town generally use these sixpenny lodging-houses; people from the country, in most instances, go to the other class of lodging-houses I have described.
225. *Mr. Macintosh.*] Is there not an eating-house attached to most of these lodging-houses? Yes, the class of people I am now speaking of generally board in the house.

THURSDAY, 29 MARCH, 1876.

Present:—

MR. FARNELL,

MR. W. H. SUTTON,

MR. TERRY.

JAMES SQUIRE FARNELL, ESQ., IN THE CHAIR.

Mr. Richard Seymour called in and examined:—

- Mr. R. Seymour.
29 Mar., 1876.
226. *Chairman.*] What position do you hold under the Corporation? Inspector of Nuisances.
227. In the performance of your duties have you had opportunities of examining the lodging-houses of Sydney? I have.
228. Where are the common lodging-houses generally situated? In Clarence, Sussex, Drutt, Erskine, and Kent streets.
229. I suppose you have not visited any of the private lodging-houses—that is, what may be considered the more respectable lodging-houses? Yes, I have visited the weekly boarding-houses—every room in the house.
230. Have you visited such lodging-houses as we have in Macquarie-street and various other parts of the city—I suppose you have not visited any of those which are almost of a private nature? They are of a private nature, but I have visited all these boarding-houses in Macquarie-street.
231. You have paid some attention then to all the lodging-houses in the city, irrespective of the condition of the persons who keep or occupy them? Yes, and especially the common lodging-houses.
232. What do you understand by a common lodging-house? What may be termed a common lodging-house is a house where you can go in to-night and get a bed and turn out in the morning; you pay 6d. or 4d. for the stretcher you lie on. There are other houses in Clarence-street and Sussex-street where there is a double-bed in the room, where a man can take a woman in for the night, and clear out in the morning. There is one in Sussex-street, kept by a man named Iliffe, where there are four rooms for the purpose of letting out for a man and woman for the night. There is a double-bed in each room. That house is also used as what is commonly termed a short-time-house, where you can go in and take in a woman, pay a shilling, go up-stairs, and come out again.
233. These are the common lodging-houses? Yes.
234. Then the boarding-houses, what are they? Boarding-houses are where sailors and people along the wharves come in and reside for a week or a fortnight. They are a different class of house—clean and respectable, the food clean, and so on; but these common lodging-houses, some of them, are in a most frightful state. Dr. Dansey and I inspected some of them this morning. We found eight or ten beds in one house—sofas or stretchers—crawling with filth, and the sacks the people lay on covered with human excrement and blood, and all the place stinking in such a way as to be sickening to go into. There were four rooms crammed with men on wooden stretchers close together. In one room we found an old man sitting on the bed with his clothes off, lousing himself.
235. You generally visit these places in company with Dr. Dansey? Yes; and if the doctor is not with me I always let him know if I see anything that comes within our duty, and we generally visit the premises again.
236. Do you report all matters in connection with these common lodging-houses to the Mayor? Yes; and then I take out a summons and fetch them to Court for any breach of the law.
237. Have you ample power under the law, as it at present exists, to deal with these places? Not with lodging-houses or common lodging-houses.
238. Do I understand that when you make a report to the Mayor it is more in reference to the sanitary condition of the premises? Yes, that is all I can interfere with.
239. From your experience in visiting these lodging and boarding houses, do you think it necessary that we should have some legislation to deal with them? I do, indeed. I think it is a thing crying to the whole country for the state of things that exists in the city.
240. What is the character generally of the persons who occupy the common lodging-houses? Their general character is that they are very low, drunken people, and very filthy in their habits—very filthy—extremely dirty in themselves.
241. I think you said the rooms generally were very small? Yes.
242. And too many beds in the respective rooms for the size of them? Yes; and the beds are in a filthy disgusting state. At one place this morning I pulled down the bed-clothes myself, and the vermin were crawling all over what they call sheets—mere dirty rags—and over the dirty stinking pillow. My assistant, Mr. Watkins, had the vermin all over his legs coming out of the place.
243. What kind of vermin? Lice and bugs. In one room we were in this morning it was as if you had taken a large soft plum-pudding and slapped it against the walls—the marks where some thousands of bugs had been killed with the people's fingers. I have repeatedly gone into these places and came out covered up to my knees with lice.
244. Have you prepared any statistics in reference to these common lodging-houses? I prepared this paper this morning showing the condition of some of the houses we have to go into. (*Paper referred to handed in. See Appendix A.*)
245. What is the character of the buildings—are they in a dilapidated state? Some of the buildings are very good buildings, but very badly taken care of. They could be made very good lodging-houses by some money being laid out on them, but they are let go to utter ruin by neglect and filth.
246. Do you think it would be wise to empower the Corporation to compel the landlords of these houses to put them in a state of thorough reparation? I think it would—these common lodging-houses and boarding-houses. We find some of the boarding-houses not as they ought to be for the comfort of men who pay so much a week for their board and lodging.
247. How much a week do these people generally pay? At sailors' boarding places from 15s. to £1. At common lodging-houses they get no board, but go in and pay 4d. or 6d. for the night. These beds are never changed from one year to another.
248. Do you know whether well conducted people from the country ever get into these places? I am sure of it. There was a female at one of them this morning who had only been three weeks in Sydney; she had her door locked, and there were a lot of blackguards lying in the next room to her. 249.

249. Had she known the character of the place she would not have gone there, I suppose? I do not believe she would.

250. Do you think a system of licensing these lodging-houses would be a good thing? I am sure it would. They should hold a license under the control of some officer appointed to look after them.

251. And that would be a guarantee to persons who might come from the country into the city, as to the decency of these houses? It would.

252. Do you know whether many thefts take place in these houses? I only know from report, not of my own knowledge. From report I believe there are many.

253. Do you know of any of these common lodging-houses in the vicinity of the wharves? There are in the vicinity of the wharves—in Sussex-street.

254. Are there any down by the Circular Quay? No. There are some boarding-houses on the Rocks, but they are generally inhabited by sailors—in Cumberland-street, Gloucester-street, and Harrington-street—where they pay so much a week for board and lodging.

255. Would you also bring under surveillance the superior kind of lodging-houses—what may be termed private boarding-houses? I think it would be well that all lodging-houses should be inspected, because we know from experience that some of our very best lodging-houses require some looking after—some of the very best in the city. I know one not very far from where we are at present that wants a deal of looking after.

256. *Mr. Terry.*] In Macquarie-street? I will not say where.

257. *Mr. Suttor.*] In what particulars are they deficient? They are deficient in cleanliness; the rooms are crowded with bugs; in fact you can see the bugs walking all over the linen, and along the curtains and walls.

258. *Chairman.*] Are these private boarding-houses generally conducted respectably? Yes, generally so; the generality of them are very well conducted and very clean, but some few are very dirty.

259. Have you been able to obtain from the lodging-house keepers or boarding-house keepers their opinion whether it would be desirable they should be brought under some law or regulation? In my inspections during the last year at the west end of the town many of them have stated that they would be very glad if they were subject to a license, so that a certain class of people that keep lodging-houses would be deprived of the opportunity of doing so—referring to these very drunken people.

260. Licensing would be a guarantee that the houses were kept only by persons that were respectable and fit to be entrusted with a house of the kind? Yes, I do not think any but respectable trustworthy people should get a license.

261. Do you know whether the Chinese keep lodging-houses in any part of the city? I have had a good deal of inspection amongst the Chinese. The Chinese live eight or ten in a room, and lie on stretchers, something like this table. I have gone into a room and found a small lamp in the centre, and a Chinaman with a woman between his legs, naked all but a petticoat, and another Chinaman in the same position on another part of the stretcher; in the next room the same, and in the next the same. These were white women, some of them married women, and others women of the town. I have found another Chinaman lying with his arms round a woman, one hand on her bosom, and his other hand under her legs, pulling her parts about like a dog. In another place there was a Chinaman had a girl on the table, sitting up, with his trousers down, and one of the girl's legs over his shoulder; she was under the influence of opium, and he was using her—having connection with her—and seven or eight Chinamen waiting at the door to do the same to this same woman. In Cyrus-lane I found the same thing in many places. There, in particular, we tried all we could to waken two girls who were lying under the influence of opium; there was a third, lying on the same stretcher, who said it was no use trying, for they could not awaken for some hours. She said she was just getting ready. She said, "They do what they like with us while we are under the influence." I asked her if she could not refrain from it, and she said "No, we cannot keep away from it." The way our women are used by these men is something beyond description.

262. What are the ages of these girls? I have found girls in Chinamen's houses from about 10 years of age up to 20, but they seem to be more partial to the younger portion of the female sex. They would sooner have a girl between 10 and 12 than a woman of 20.

263. As I understand, they induce these girls, in the first instance, to enter these places, and then get them to smoke opium by which they became drugged, and then the Chinese do what they like with them? Yes, in fact I have caught them in the act.

264. Are these women living with the Chinese, or do they only come in occasionally? No, they come in occasionally. At a place in Castlereagh-street, near Bathurst-street, on the eastern side, you may see ten or twelve girls sitting at the door all day long, and going in in their turn. There are perhaps twenty men in the place, and I have gone in and found them on the stretchers with these men—girls, I am sure, not more than 12 years of age.

265. Have you noticed whether they were free from disease? No, many of the girls were diseased, I could see by their faces, their feet, and their legs. We saw one girl one day with her feet near dropping off. I have seen some girls, after coming off the stretcher, so exhausted that they could not walk across the room.

266. There are some of these lodging-houses you have spoken of that are in reality not lodging-houses, but merely places for persons to take women of easy virtue? They have sixpenny lodgers as well. They have stretchers in other rooms for men to go into—seven or eight stretchers in each room.

267. They are not persons you could legally prosecute for keeping a house of ill-fame? I do not think so. I put questions to the woman, Mrs. Iliffe, particularly yesterday. I asked her what sort of lodging-house she kept. She said a common lodging-house. Then I asked her what did she charge the men for their beds. She said, "Fourpence and sixpence." When inspecting the rooms, I said, "What is this room for?" She said, "This is for a man and woman." I said, "Do you allow any sort of women to come in?" "Any sort," she said, "as long as they are not drunk." Then I said, "What do you charge a man and woman for using this room for the night?" "Two shillings." "If a man came here this evening, say at 5 o'clock, and he asked you to let him take a woman in, would you allow him?" "Yes." "What would be the charge?" "One shilling." "Then in reality you do not care who comes in so long as they are sober?" "I do not."

268. Do they have any meals at these houses? They do not.

269. *Mr. Suttor.*] Are all the common lodging-houses used for purposes of prostitution? No.

Mr. R.
Seymour.

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Mr. R. Seymour. 270. Who, as a rule, are the persons who use the common lodging-houses? The very poor class of people living in the city.

29 Mar., 1876. 271. Do you know whether the occupation of a lodging-housekeeper is profitable? I cannot say whether it is profitable, but I have known the same persons to be keeping lodging-houses in Clarence-street for the last ten years; they must make something of it.

272. Are they often brought up to Court for breaches of sanitary regulations? They are; but all we can do is to get them fined for not keeping their premises clean. The full penalty is £10, but very often they are fined not more than £1.

273. And they pay the fine and go back again? They do; and we find the premises just the same at our next visit. If we go every week or every day we find them just the same; and the people themselves are filthy dirty.

274. Have you ever visited any licensed public-houses? I have.

275. Are any of them in the same bad state? No; there is nothing to equal the common lodging-houses.

276. Mr. Terry.] Some of the low public-houses are very dirty? Yes, very dirty; the keepers of them are often brought up to the Police Court for having them dirty.

277. Mr. Suttor.] Are the people who frequent these lodging-houses of the criminal class? Many of them are; others are workmen, and others loafers about the streets. Some are broken-down tradesmen, and even professional men of dissipated habits.

278. Chairman.] Do you think these common lodging-houses have a tendency to engender disease? I am sure of it. At one place where I went this morning, a man, who must have been drunk, had messed himself, and the smell coming up the stairs would turn any living man's stomach; it was something horrible. That was the place where we got covered with vermin. That is a thing we have to endure every day in the week.

279. You think that in licensing these common lodging-houses regard should be had to the number of rooms in the house, and that they should be licensed to accommodate only a certain number of people? Yes, a certain number of people in each room, with a certain space between each bed.

280. Taking into consideration the quantity of air required for the health of a human being? Yes.

281. Mr. Terry.] Are these places badly ventilated? Very badly ventilated. A great portion of them are most beastly for want of ventilation; the stench is something dreadful.

282. Mr. Suttor.] I suppose people from the country are almost compelled to go to these places for want of other accommodation? Yes; at the time of the cricket match and on similar occasions I have found them there—many respectable people from the country,—but I hardly think they would have gone there if they had known what kind of places they were; they are put in the rooms that are used as brothel rooms during the time there are no people from the country.

283. These houses have touters to pick up customers? Yes, they have them at every wharf, and at the railway station. They will drive five or six men up from the wharf at a time, giving them no time to look for a more respectable place.

284. Chairman.] Have you had any experience in the Mother country in respect to lodging-houses? I have not.

285. Or in Victoria? No.

286. You are aware that they have a law for regulating lodging-houses in Victoria? Yes, I believe it has worked very well. They get their licenses from the Municipal Councils.

287. In the event of a similar law being passed here, do you think it would be well to place lodging-houses under the supervision of the Corporation? Yes, I think it would. If we had had the power this morning we should have gone into at least ten common lodging-houses and taken the whole of what they call bed and bedding and had it burnt, for I believe it is every bit as infectious as what we have burnt recently from fever houses. I think there is as much infection in these beds as in any fever house in Sydney. They should be carted away at once and burnt. One bed we saw this morning was actually covered with the very matter that had been dropping from some man or woman lying on the bed. There are many of these common lodging-houses where there is a room for eight men, and alongside it a room for eight women, and no doubt during the night they all mix; there is nothing but a door between them.

288. Do you think it would be a wise thing to make provision in any law that might be passed that notice should be given to the landlord of these houses to cleanse them, and, in the event of their not doing so within a certain period, to empower the Corporation to do it, and charge the expense to the owners? Yes. The landlord should have notice to clean his premises and provide good beds, and if that were not done then the Corporation, or whoever might have power over them, should step in.

George Frederick Dansey, Esquire, examined:—

G. F. Dansey, Esq. 289. Chairman.] You are Health Officer of the City of Sydney? I am.

290. You have heard Mr. Seymour's evidence? I have.

29 Mar., 1876. 291. It is his duty to accompany you on visits to the lodging-houses and other places in the city? It is; and also if he goes alone and finds anything when I am not able to attend at the time he informs me, and re-visits the place with me afterwards.

292. Then any evidence you could give in this matter would be substantially similar to that given by Mr. Seymour? It would.

293. You are aware that Mr. Seymour has handed in an appendix with certain particulars? Yes.

294. You of course have seen that? Yes.

295. And it is as far as your knowledge goes perfectly correct? Perfectly correct.

296. Have you, as a medical man, observed anything peculiar in reference to the inmates of these lodging-houses, different from the occupants of other places? They are generally of a much lower class and of much dirtier habits.

297. Mr. Suttor.] Lower in the scale of humanity? Yes. Sometimes I have met lawyers and what may be called "broken-down swells" in these places, reduced in circumstances and obliged to go there. Called out, as I am, at all hours of the night, I see faces there that I should have never expected to see at such places; but the general occupants of such places are of the lowest class of vagrants.

298. *Chairman.*] Do you think it would be desirable in any legislation, that the price of lodging or boarding should be fixed not to exceed a certain amount, or would you leave it to the lodging-house or boarding-house keeper? I think that if they came under a Lodging-house Act the lodging-house keepers would charge a price that would pay them to keep the places clean; but I think it would be as well to leave it to their own ideas as to whether they would take a man in for 6d. or 4d. You would find that directly the strain of the law was put upon them to compel them to keep their places clean they would increase their price; otherwise they could not pay the rent.

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299. If these houses were regulated by law the result would be that we should have a superior class of lodging and boarding houses? Decidedly.

300. Mr. Seymour spoke of persons very much diseased being in these places—what is the nature of the disease? From my general casual inspection, not personal inspection, it has generally been, to my mind, secondary syphilis.

301. You, yourself, are personally favourable to legislation in respect to lodging-houses? I am, particularly since I have been Health Officer to the City of Sydney. I have several times urged the idea that if we could find a few Peabody's here to build model lodging-houses, to relieve the pressure on the poorer class of people, great good would be done. About eighteen months or two years ago there was a meeting called to consider the idea of building a poor man's hotel; we had the use of the Victoria Theatre granted to us, and Sir Alfred Stephen was to have been chairman, but the meeting fell through. The idea was to build a model lodging-house on a piece of ground near Carlton-terrace, in Wynyard-square. I found I could not get any person to back me up thoroughly with it. I think the present lodging-houses encourage crime, and are hot-beds of filth and disease. Not only may disease be brought on by the filth and overcrowding but it is liable to be spread by the people who sleep night after night in these filthy places. You may say the beds are sponges of infection.

302. Have you had any experience in the mother country in reference to lodging-houses? Not in the way of visiting. They were under the Metropolitan Board of Health, with which I was not in any way connected.

303. Do you know whether they are working well in England? I believe they are. There they have full power of entering places and ordering them to be white-washed and cleansed whenever they choose. In one of your questions to Mr. Seymour you spoke of bringing all lodging and boarding houses under the law, both respectable and common; if that were done great care should be taken so that no undue pressure should be brought to bear by any spite on a respectable house; and in this sort of houses I do not think there should be any interference except upon complaint. If a complaint were brought to us that such a house as Mr. Seymour mentioned was in such a condition we should have power to interfere; but it would be very hard for respectable people to find the Inspector of Nuisances coming and looking over their premises every day. I think we ought to be very guarded that we were not putting too much on that class of house; but on the common class of house you cannot put too much if you want to suppress crime and disease. No doubt there would be great difficulty in distinguishing a common lodging-house from other lodging-houses. No work that I know of defines it properly. The nearest approach to it is describing it as a place where a man can go in at night and get a bed, but where he does not board, and goes out the next morning.

304. In what are called the respectable board and lodging-houses do many of them take in lodgers for the night only? Hardly ever.

305. Persons generally board with them by the week? Yes; they do not only sleep in the house, they board as well, if it is only for a day, like an hotel. That is the distinction between a boarding-house and a common lodging-house. Some pay 15s. or 17s. a week, and if by the day 5s. a day.

306. In some private boarding-houses do not persons pay two or three guineas a week? Yes, from a guinea up to three guineas a week.

307. Generally speaking, are not these houses well conducted and very clean? Yes; a person able to pay two or three guineas a week would not go to a dirty place.

308. *Mr. Suttor.*] If the common lodging-houses were improved by force of law, and the keepers of them consequently obliged to charge a higher price, do you think persons of the present class of lodgers could avail themselves of their improved condition? Some of them could not—some of these poor distressed creatures could not.

309. Would you suggest some public charitable institution to meet their requirements? Yes, to give a man a roosting place if he is in such a state of distress that he is not able to pay.

310. In fact that would come to be necessary? Yes.

311. Speaking of the inspection of lodging-houses, taking them altogether, do you think the proprietors of these common lodging-houses are less sensitive to supervision than those of a better class? Yes, much less so.

312. They would not resent the intrusion? No; indeed they hardly do it now when we have no definite authority to inspect.

313. Is there a Bushman's Home established in Sydney? There was one established by Captain Scott but it is now turned into a public-house.

314. Why was that broken up? I cannot say.

315. *Chairman.*] Do you wish to add anything to your evidence? I would say that I consider it highly desirable for the sake of the health of the city, and of strangers coming to this part, that there should be some stringent measures used to control the common lodging-houses.

316. You are entirely in favour of legislation? I am.

317. You have been a long time City Health Officer? About seven years.

Senior-Constable Thomas Mulqueeny called in and examined:—

318. *Chairman.*] What are you? A Senior Constable.

319. In any particular division of the city? The Central Police Station.

320. Has it come within your duty to visit many of the common lodging-houses in the city? It has.

321. Have you visited the lodging-houses generally in all parts? Yes.

322. Where are the common lodging-houses generally situated? In Clarence-street, Sussex-street, and Kent-street chiefly.

Senior
Constable
Mulqueeny.
29 Mar., 1876.

Senior
Constable
Mulqueeny.

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323. What is the character of these common lodging-houses generally? Generally they are very dirty, overcrowded, too many people, and too many beds in each room.
324. How many rooms do they generally contain? Some four and an attic—some six and attic.
325. What is about the size of the rooms? From 12 to 15 feet square, with scarcely standing room in the attics.
326. Is that a lodging-house or a board and lodging house? These are lodging-houses.
327. That is a house where persons just go in for the night? Yes, sixpenny lodging-houses.
328. Do you know whether they take any meals at these places? I do not think they do.
329. What is the character of the persons generally who keep these lodging-houses? Some of them are not the best of characters.
330. Do you know whether these lodging-houses are used upon some occasions for the purpose of persons taking prostitutes or women of easy virtue into them? I know of several.
331. What is the character, do you know, of the women that are taken to these places—are they young girls or married women? They are girls of the town—common prostitutes.
332. Do you know what they pay for the accommodation? I do not.
333. What are the powers of the police in connection with these lodging-houses? The police have no power to visit those houses, except they are called by the keeper or some of the lodgers.
334. What is the distinction between a boarding-house and a lodging-house? Boarding-houses are better conducted; they are cleaner, and a different class of people frequent them.
335. Do the boarding-house keepers have persons who regularly board and lodge with them? Yes, as a rule they do.
336. Do you know how much a week they pay? From 17s. to £1.
337. Do you know whether persons from the country go to these common lodging-houses? Yes, they do.
338. Do you think they go there not knowing at the time the character of the place? I do.
339. I think I understood you to say that these common lodging-houses are generally in a filthy state? Yes.
340. What do you mean by that—being in a filthy state? The bed-clothes very dirty, as well as the walls and the floor, and full of vermin.
341. Are the class of persons who generally go to these common lodging-houses of a criminal class? A great many criminals, drunkards, and vagrants visit these houses.
342. Have you given any consideration specially to the subject of these common lodging-houses and boarding-houses? I have not.
343. From your experience in the police could you give us any idea or opinion as to whether it would be wise to legislate specially for these common lodging-houses and boarding-houses, to bring them more under the surveillance of the police or the Corporation? I think it would be a very great benefit.
344. Do you think they would be improved by legislation? I do.
345. Could the class of persons who go to these common lodging-houses now, and pay 4d. or 6d. for a bed, pay the increased price that would probably be demanded under the improved condition of the lodging-houses resulting from legislation and supervision? I think they could. There are a number of men who go to these lodging-houses that can earn £2 a week some of them, some less, but they get drunk two or three times a week and spend their money that way. Some of them are poor with hardly any means, and they could only pay 6d.
346. To meet the case of the poor class it would be necessary to establish some public charity? Yes.
347. Do you know whether many young men visit these places? A great number. I have frequently seen young men in bed at 12 o'clock in the day-time in these common lodging-houses.
348. I suppose the houses where men and women can go for immoral purposes do not sufficiently transgress the law to admit of their being prosecuted for keeping a house of ill-fame? No. I mentioned that there were some common lodging-houses where men and women go—there are only two or three used for that purpose. They generally have a board outside with the words "lodging-house" upon it; but at the same time they are kept for immoral purposes.
349. Where are the houses of ill-fame principally situated? There are some in Goulburn-street and a few in Exeter-place; and there have been a great many in Cyrus-lane, off Sussex-street.
350. There are several classes of houses of ill-fame are there not? Yes.
351. Could you tell us where the more respectable of these houses are situated? I should say in Liverpool-street and in some parts of Woolloomooloo.
352. Have you ever visited any lodging-houses about the wharves? I have; about Erskine-street and Margaret-street.
353. Are they of the same class as those you have already informed us about? They are of a better class and cleaner.
354. Occupied principally by sailors? Yes.
355. Do you know whether Chinamen keep lodging-houses? I believe they do.
356. Do you know whether the houses they keep are for Chinese or for Europeans? I have seen them mixed—both Chinese and Europeans.
357. What is the character of the Chinese houses? Very dirty and filthy.
358. Are they conducted morally or immorally? I have seen the Chinamen with girls sitting and smoking. I have known several European girls and women to be living with Chinamen in Goulburn-street. I have seen about fifteen or twenty Chinamen in one room, the smell being very disagreeable.
359. Do you mean sleeping in one room? Not sleeping; they were gambling.
360. Were there women with them? Not in that room.
361. Were they all lodgers at that particular house? No.
362. You were going to say something about smoking—what do these girls smoke? Opium.
363. That has a stupefying effect upon the girls? I believe so.
364. Do these girls lodge with the Chinamen? They live with them.
365. Then these are not lodging-houses? No. The girls go there to be with the Chinamen.
366. *Mr. Terry.*] I suppose they like the opium? They do.
367. *Chairman.*] What we want to know is whether Chinamen keep lodging-houses? I am not aware of any Chinaman keeping a lodging-house. A number of them live together, and they have these young girls with them.

368. *Mr. Suttor.*] Do your duties carry you to common lodging-houses and boarding-houses in search of criminals? Yes.
369. It is only for that purpose you visit them? That is the only purpose.
370. I suppose there are certain of these places where you are almost sure to find the men you want? Yes.
371. I suppose if lodging-houses were under supervision and better conducted, criminals would not resort to them? They would not.
372. What shifts do you suppose they would be driven to for lodgings? I believe they would live with prostitutes and not in the lodging-houses, if they were visited by the police.
373. Have you ever seen many decent country people in these lodging-houses? Not many—only an odd one from the country.
374. Some who have unintentionally found their way to these places? Yes.
375. *Mr. Terry.*] I suppose you see some of these people in the case of any great event taking place, such as a Cricket Match or Agricultural Show? That is the most likely time.
376. *Mr. Suttor.*] When all other places are crowded out? Yes.
377. *Chairman.*] Have you been long in the police? Thirteen years.
378. In this Colony? Yes.
379. Were you in the police before you came here? Yes.
380. Had you any experience in England with respect to common lodging-houses and boarding-houses? Very little.
381. Was the Common Lodging-house Act in force in England before you left there? It was. I know there was an inspector appointed to visit lodging-houses and examine the rooms and beds.
382. Do many people sleep on Hyde Park at night? Not many now; they used to do some years ago.

Senior
Constable
Mulqueeny.
29 Mar., 1876.

WEDNESDAY, 10 MAY, 1876.

Present:—

MR. CAMERON, | MR. FARNELL,
MR. W. H. SUTTOR.

ANGUS CAMERON, Esq., IN THE CHAIR.

Michael Chapman, Esq., J.P., called in and examined:—

383. *Chairman.*] You are an alderman of the City of Sydney and a member of the Sewage and Health Commission? Yes.
384. In your capacity as such has your attention been directed to the state of the common lodging-houses in the city? Yes.
385. This Committee is appointed for the purpose of inquiring into their sanitary condition, the accommodation provided, and the manner in which they are conducted;—could you give us any information with reference to these points? I shall be most happy.
386. Are any of them, in your opinion, conducted on a scale conducive to immorality, or without due regard to health? Without due regard to health certainly.
387. Are they overcrowded? Yes.
388. In what parts of the city are these places generally located? The houses I visited are situated in Clarence-street; they are what are called common lodging-houses—sixpenny lodging-houses.
389. I suppose it is the practice in all these places to have more than one bed in a room? Yes, sometimes seven or eight.
390. So far as you could form an opinion were the beds inconveniently crowded together? Yes.
391. In a way detrimental to health? Yes. The rooms are badly ventilated and overcrowded, and therefore they must be detrimental to health.
392. Were any of them in a state of filthiness? They were not very clean, but still I could not call them filthy. I visited them at night, about 10 o'clock, when the beds were occupied, and their state as to cleanliness could not be so well observed as in the day-time.
393. This is not the class of house I suppose in which the travelling portion of the public, such as men from the diggings, put up? Yes, I think so; many of them put up there—many of the diggers who have not sufficient money to go to a regular boarding-house, where they have to pay from 15s. to 18s. or 20s. a week. They manage to live about town during the day, get their meals at a sixpenny restaurant, and get their beds at the common lodging-house.
394. There is no regulation in force at the present time compelling the proprietors of these places to provide a certain amount of accommodation? I know of no such regulation, but I see great necessity for it.
395. Could you give any instances of flagrant cases which have come under your notice? Yes. I have my note-book here, from which I can give you a few cases. The "Lancashire Lass," in York-street—
396. Is this a public-house? No; they have names for them the same as hotels. At the "Lancashire Lass" there was one room 14 feet square and 10 feet high in which there were six beds; one room 11 feet square, 10 feet high, in which there were five beds; another room of the same size, five beds; and another room of the same size, five beds. There were twenty-one beds in the house in four rooms. The next house I visited is about the same size, and in it there were twenty beds—116, Clarence-street. In "Niagara House," four rooms, there were twenty-seven beds. In the "Sydney and Melbourne Lodging-house" there was one room with seven beds; and in an attic room, only 12 feet square, and an average height of only 4 feet 6 inches, with a coved ceiling, there were eight beds. In the "Glasgow Boarding-house" there were eleven beds in one room, 13 feet square, and in the attic of that house there were six beds. I have seen the beds—stretchers—so close together that you could not go between them. Each man is supposed to go to the foot of his stretcher to get into it. They come out from the wall, and there is a passage between the ends of the beds, but not the sides. The beds are put up one against the other.
397. Your visits were at night? Yes.
398. Were the beds then occupied? Yes.

M. Chapman,
Esq., J.P.
10 May, 1876.

M. Chapman, 399. Did you feel any inconvenience from the closeness of the atmosphere? The heat was stifling and the stench sickening. The heat was so great that in many instances the people were lying perfectly naked—no clothing of any kind.

Esq., J.P.

10 May, 1876.

400. Did the majority of the lodgers appear to be men of the labouring class? Yes, working men. Some of these people said that were it not for the police they would prefer sleeping in the open air, in the Domain or Hyde Park, and I quite agree with them that it would be far preferable. The men were so sensitive that they submitted to be half suffocated in preference to being brought up at the Police Office for sleeping out of doors.

401. As a Magistrate, have you had many cases brought before you in which robberies have been committed in these places? No, I generally sit in the Summons Court, and cases of that sort would be brought on in the Charge Court.

402. Have you heard from rumour that such cases are in any way frequent? Yes, I know there are many cases, but I have not had them before me; I have had some, but not many.

403. Have you at any time had your attention directed to a class of boarding-houses at the lower end of the town kept by Chinamen? Yes, I have visited them by day and by night.

404. Is it true that a vast amount of immorality takes place in these places? Yes; I have seen women with them there under the influence of opium, and it has such an effect upon them that they are quite helpless. I believe that immorality to a great extent is practised. These unfortunate girls, when questioned as to why they remain with these Chinamen, say they cannot help it—they must get opium, and no white man will go to the expense of supplying them. One woman told me she could smoke opium to the value of 4s. a day.

405. Being a gentleman intimately associated for years past with the welfare of the citizens, are you of opinion that legislation is urgently required in reference to these places? Yes, most decidedly, and that immediately.

406. Could you offer any suggestions that might be embodied in any measure to be laid before the Legislature? I think a proper Board should be appointed, with power to deal with these places, and keep them under continual supervision.

407. Would you advocate the licensing of these boarding and lodging houses? I would advocate the inspection of them at all events, but I think it would be very hard to compel them to pay anything like a heavy license fee.

408. Is it not a fact that in Melbourne some inspection takes place? Yes, I think so.

409. They are bound to give so many cubic feet of space to every lodger? Yes.

410. If such a thing were enacted here do you think it would help to remove the evils of the present system? Yes.

411. *Mr. Farnell.*] Do any females lodge at these houses? No, there are separate houses for females; but very few females frequent lodging-houses, except the old "Johnny Warder" stock. The younger females go to the "Homes," and other places. We have never seen any cause to suspect that there was anything wrong among the female lodging-houses. In fact we did not care much about examining them.

412. Would it be a wise thing that lodging-houses should be registered, in order that they should be brought under some surveillance? Yes, I think so. I think it would be hard to compel a man to pay a heavy license fee, but still I admit the necessity of supervision.

413. In what month was it that you visited these places? About the 17th November last year. In reference to a question put to me by the Chairman as to whether petty thefts were committed in these places, I noticed in one lodging-house a notice posted over the mantelpiece to the effect, that the proprietor would not be responsible for the goods and chattels of the lodgers. Many of the men slept with their boots on, and some with their trousers and waistcoats, as I imagined for fear they should be stolen. You would see a fellow with his shirt off and his boots on—his shirt being under his head.

414. Are the houses themselves kept in good order by the landlords? No, very bad; they are wretched affairs, the plastering tumbling off, and the paper hanging down; they smell foul, and the windows are of that badly designed sort that the upper sash is a complete fixture—not hung sashes; they can get the bottom up and the draught comes in just over a man's head, and he of course puts it down; consequently the whole place suffers. The landlords will do nothing.

415. Do you know where the people who come from the country generally lodge? There are a great number of what are called the regular boarding-houses about Sussex-street and some in Clarence-street where these people go to. There is one at the corner of King-street called the "Full and Plenty." They make up a great number of beds in these places, but there is no overcrowding; each man pays from 15s. to 20s. a week, and the houses seem to be kept pretty clean. There are one or two Temperance lodging-houses where they have two classes of beds—sixpenny and ninepenny beds—with clean linen and a good lavatory. The Temperance lodging-houses we visited were the only places where we saw any accommodation for washing; there is no such accommodation in any other sixpenny lodging-houses.

416. In legislating on this subject do you think all boarding-houses and lodging-houses ought to be included—I mean houses of the more respectable kind? I think so, because if a man has his house in first class order he should only be delighted to have it examined. We have seen overcrowding in private families in order to make room for lodgers upstairs, and I have often thought that should not be allowed. The family are huddled into one or two rooms to give space for lodgers.

417. If lodging-houses were certified, there would be some guarantee to persons seeking lodgings as to the respectability and conduct of the house? Yes, I think that would be an excellent idea to carry out.

418. Are the Chinese houses you speak of lodging-houses, or are they merely houses to which the Chinese induce these girls to go? You never can tell what they are. No doubt they understood very well, but only questions that suited them would they answer—to all the rest it was "no savee." Many of the places that are overcrowded are furniture manufactories, where they employ perhaps thirty or forty of these Chinamen, and they sleep amongst the furniture. Each man builds himself a little place 3 feet wide and 6 feet long, and I believe there is no supervision exercised over them by the foreman or master as to who they take in. In some places off Goulburn-street that we visited, the crowding at night with females is very great, and the debauchery and immorality must be something frightful. It was nothing unusual to see females even at 4 o'clock in the afternoon under the influence of opium, lying on a bench with one or two Chinamen in the place, and quite helpless. They have a bench which is used as a bed in the centre, a lamp and smoking apparatus, a wooden pillow here, and one there; the male lies on one side, and

the

the female on the other, and they use this opium. The man does not get under the influence of it half so soon as the woman does; one or two puffs will put one of these women off; and it has been asserted both by the police and the Corporation officers that a great number of men will use one woman.

419. *Mr. Suttor.*] Do I understand that this takes place in the workshops where the Chinese are employed? No, not the last part of what I have stated. I am now speaking chiefly of a place off Goulburn-street, originally called Durand's Alley. The Chinese have a lot of houses there; in fact there are six or seven little houses on an allotment of 25 feet by about 100 feet; these houses are very small—7 feet by 6 feet, and 6 feet 6 inches high.

420. These are more of the character of private dwelling-houses? Yes.

421. You said just now you thought it would be hardly fair to ask a lodging-house keeper to pay a license-fee; you meant, I suppose, a heavy fee? Yes; if they have to pay a heavy license-fee they will not be able to accommodate those unfortunate fellows who cannot pay more than 6d. for a bed.

422. A low fee would not be objectionable? No; perhaps £2 a year.

423. If these places were under supervision, and the landlords obliged to keep them clean, more healthy, and with less beds in them, I suppose they would have to charge proportionately more? Perhaps they would have to charge a little more.

424. In many of these places, where you say there are a great many beds, how many would there be room for under a proper system? At the very outside not more than four in a room, and I would call that overcrowding; but where people pay only 6d., I should say they might put up with three others besides themselves in a room. When they come to pack the beds so close that you could not get your hand between the stretchers it is too bad.

425. If, as a rule, only four beds were allowed in each room, do you think 6d. a bed would be sufficient remuneration to the people of the house, if they were under supervision and had to keep the place and the beds clean? I think it would. If there were four rooms they would yield 8s. a night, or £2 16s. a week, from a house for which they pay only 18s. a week.

426. Do you know whether it is a lucrative occupation now? I do not know.

427. Supposing they were under regulation and charged a higher price, would the present occupants of such houses be able to avail themselves of them? Yes, I think so. The people who avail themselves of them are not what we may call the very low class—the drunken class. They are chiefly workmen and men from the country seeking employment. They can live for 18d. a-day when hard up, by using these places; they get a bed for 6d., and at one of the cheap restaurants breakfast for 6d., and dinner for 6d.

428. Is there not a lower class of lodging-house—places swarming with vermin? All these places are swarming with bugs and fleas. When I got home of a night, after visiting them, I have had to put my clothes out on the verandah. The temperance boarding-houses are quite different altogether. The difference would really astonish you. They have clean beds and clean white sheets, and no kind of vermin. No doubt the others would be kept cleaner if the people who go there were themselves cleanly. Sometimes they go in drunk.

429. *Chairman.*] Has your attention ever been directed to a higher class of boarding-house, where they both board and lodge people for about 18s. a-week? Yes.

430. Do you find any of them overcrowded? No, the men will not stop if they are. There are so many of them that a workman or mechanic who pays 15s. or 18s. a-week, if he finds the place overcrowded or uncomfortable will not stop.

431. Do you think there is ample scope here for the establishment of a model lodging-house? I think there is. I wish I were rich enough I would very soon have one built. There would be profit enough to give a capitalist a good return for his money, besides the amount of good he would do for his fellow-creatures.

432. Then you are of opinion that these places being inspected and placed under control would not have the effect of depriving these poor people, who can pay no more, of a lodging? No; they would get better value for their 6d.—more breathing space, more cleanliness, and better accommodation generally. I am so convinced of the necessity for supervision in this matter, and of the evils that result from the want of it at present, that if cases were to come before me now, in my capacity as a magistrate, of people being charged with sleeping in the open air, I should feel inclined not to punish them. I believe it is better for a man to go out and sleep under the trees in the Domain than to stow himself in one of these stinking rooms. I think it a pity to punish a man for that unless we provide a proper place for him to sleep in.

433. *Mr. Suttor.*] Are they punished for sleeping in the open air? Yes.

434. When there is a large influx of country residents, at the time of the Exhibition and so on, it must be almost impossible to avoid overcrowding? Yes, I can understand an hotel or boarding-house being overcrowded for a week or a fortnight during Exhibition or race time, but that is a very different thing from these lodging-houses being crammed with seven or eight beds in a small room, and these beds being occupied night after night.

435. *Chairman.*] There is no doubt in your mind that this kind of thing is going on now? No; I have seen all I have spoken of myself, and a great deal more that may not bear on the matter, during our visitation from house to house, day and night. I have seen things that one would think it was not possible could exist.

436. *Mr. Suttor.*] Things that might be prevented by legislation? Yes, by proper supervision.

Mr. David Clement Robertson called in and examined:—

437. *Chairman.*] You are Inspector of Water Services under the Municipal Council of Sydney? Yes.

438. In the performance of your duties have you had frequent opportunities of noticing the common lodging-houses of this city? Yes.

Mr. D. C.
Robertson.

439. This Committee is appointed for the purpose of inquiring into the sanitary condition of lodging-houses;—have you ever noticed any flagrant cases of overcrowding or want of cleanliness? Yes.

10 May, 1876.

440. In what parts of the city do you find these houses? In the western parts of the city—Clarence-street and Sussex-street principally.

441. Are there not some houses of a similar description at the north and north-western end, towards the Rocks? Yes.

442.

- Mr. D. C. Robertson.
10 May, 1876.
442. You say you have noticed some flagrant cases of overcrowding;—could you give the Committee any instances? I have noticed it at one or two places in Clarence-street. I suppose there are about four or five rooms in the house, with between forty and fifty boarders. That is what they call cheap lodging-houses.
443. Sixpenny beds? Yes. They have sheds erected in the yard for the people to sleep in, quite close to the closet. There is one place in Clarence-street where they have a shed erected and a number of beds in it—ten or twelve beds—within 3 feet of the closet, one of these common privies. The premises and bedding are in a very filthy state.
444. How filthy—do you mean with vermin? That I did not take particular notice of, but they are filthy with dirt, and the appearance of the occupants of the beds is equally filthy.
445. What class of people are they who generally use these places—diggers and seafaring men, or a lower class? There is a mixture of classes. There are two charges in some of these houses; for travellers or diggers they seem to charge a little extra; but their usual lodgers are the poor characters that knock about the town—Johnny Warders—they have to put up with the outside of the house.
446. Are there many of these places in town? Yes, a great many of them.
447. How many do you think—do you think there are fifty? I should not like to say fifty. I think there are fourteen or fifteen.
448. Have you ever heard of robberies or other immoralities having taken place in these houses? No, not to my knowledge.
449. Is it true that there are a number of lodging-houses kept by Chinamen here? Yes, there are several houses kept by Chinamen—lodging-houses or brothels. There is one in particular in Goulburn-street, where you might go any hour of the day and see a number of girls and Chinamen lying together.
450. Would these houses come under the jurisdiction of a Committee such as this? Yes, they are Chinamen's lodging-houses, and these girls frequent these places.
451. For the purpose of plying their trade of prostitution? Yes.
452. If you or I, or anyone else, were to go there and ask for a bed, could we be provided with it for the night? I presume they would give you a bed, such as it is.
453. Are there any of these houses kept by Chinamen about the Rocks? There are one or two to my knowledge.
454. What appearance do these houses present. Are they kept in anything like a cleanly condition? No, they are very filthy; and as a rule there is scarcely any ventilation or any light.
455. Opium smoking is largely indulged in in these places, we understand? Yes, that seems to be their principal occupation.
456. Have you ever taken notice of the condition of houses of a higher character than any spoken of—houses where they charge from 18s. to £1 a week for board and lodging—where diggers and artisans live. Are there any cases of overcrowding in such houses? Yes, there are several places which are overcrowded and have not sufficient accommodation or ventilation for the number of persons sleeping in them.
457. I suppose in all these houses there is more than one person in a room? Yes, in a small room you will find four or five beds.
458. And a very close atmosphere? Yes.
459. That is in the sixpenny lodging-houses? Yes, the cheap lodging-house; such as they are in Clarence-street.
460. I am speaking of a better class of house, such as the one kept by Mr. Saunders, I think his name is, near the Railway Bridge, next door to the "Tower Hotel"? Yes, I know the house.
461. Have you ever noticed any instance of such houses being overcrowded? I have; but they are kept cleaner in the majority of cases.
462. In these sixpenny lodging-houses is there any accommodation for washing? None whatever.
463. The accommodation is merely the bed and then clear out? Just the bed.
464. There are a considerable number of these houses about the lower end of Druiitt-street? Not in Druiitt-street, but north of that street as far as Margaret-place.
465. What, all along Sussex-street? Yes, a great number of them.
466. Is that not a part of the city requiring a remarkable amount of police surveillance? Yes.
467. Do you think this lodging-house system conduces to this state of affairs, by causing the crowding together of bad characters? A great deal of it is caused through that, there is no doubt.
468. Are the houses about Druiitt-street by any means remarkable for filthiness? Not in Druiitt-street; I do not know of one house in that street.
469. There are a number of houses at the lower end of Sussex-street, where seafaring men reside;—have you ever seen any overcrowding in these places? Yes.
470. What do you call overcrowding—how many in a room? That would be according to the size of the room; the majority of the rooms are only small—about 9 ft. by 10 ft. I think.
471. How many lodgers would they have in a room like that? I have seen six beds. I cannot say how many have actually slept in these beds.
472. Lying on the floor? Some on the floor and some on stretchers; at least I have seen the beds; I never go there at night.
473. Are there any of these houses in the suburbs? Not to my knowledge.
474. Mr. Farnell.] Does this overcrowding take place generally? In the cheap boarding-houses it does. I have been frequently into several of them, and have always found them the same. In fact in some of these cheap places, where I have gone in the middle of the day, I have found the beds full of these low characters, commonly called "night-hawks," who seem to sleep all day.
475. Where do the people that come from the other colonies, the Hunter River, and other places along the coast by steamers, lodge? Generally they make to a better class of house. There are several places in Sussex-street and King-street, but even these are crowded when the steamers come in.
476. I suppose the crowding of these houses depends a good deal upon the influx of people coming in? Yes. The Chinamen's places are the most degrading places in the city. They get these girls in there and make use of them in every way to gratify their lusts and desires.
477. Chairman.] Do you think these places could be improved by inspection? I am sure of it.
478. Mr. Farnell.] Could the houses occupied by the Chinamen be properly considered lodging-houses? They are lodging-houses for Chinamen; they are called Chinese lodging-houses.
479. Chairman.] Do you think that if there were a law in force compelling these people to provide a certain amount of accommodation and be subject to inspection it would have the effect of depriving persons, who

- who cannot afford to pay more than 6d. a night, of the opportunity of getting a bed at all? No; I think it quite possible to have a good cheap and clean bed with proper accommodation. Mr. D. C. Robertson.
480. Is keeping a house of this character looked upon as a lucrative business? I hardly know.
481. *Mr. Farnell.*] Are there any female lodging-houses? I have been in a house in Fowler-square, off Sussex-street, which is used by prostitutes as a lodging-house, I believe. 10 May, 1876.
482. *Mr. Suttor.*] Do you know whether the relation of landlord and tenant exists in these Chinese houses, or do they all club together to keep the house? There appears to be always a principal amongst the Chinamen, who lets the beds to the others.
483. *Chairman.*] Do the Chinamen work upon the sixpenny principle? I do not know their scale of payment. One of the Chinese houses on the Rocks is carried on something similar to the boarding-houses for Europeans, 15s. a week, or something like that. In the best of these houses there are always a number of girls. One of the best Chinese boarding-houses is in Harrington-street, and even there I saw, on one occasion, six European girls—some of them under the influence of opium.

COMMON LODGING-HOUSES.

APPENDIX.

[To the Evidence of Inspector Seymour, 30 March, 1876.]

A.

COMMON LODGING-HOUSES.

No. of house.	Street.	No. of Lodgers.	No. of Rooms.	Bed-rooms.										Remarks.	
				No. 1.		No. 2.		No. 3.		No. 4.		Loft.			
				Beds.	Stretchers.	Beds.	Stretchers.	Beds.	Stretchers.	Beds.	Stretchers.	Beds.	Stretchers.		
208	Clarence	13	9	5	4	1	1	6							Beds and bedding very dirty. No. 1, 15' x 16'; No. 2, 14' x 15'; No. 3, married woman; No. 4, man, wife, and child.
196	"	2		5											Very dirty; filthy blankets and ticking; very small yard.
227	"	3		2	2										No. 1, 10' x 12', clean; No. 2, large room, very clean.
162	"	16		8	5	6									No. 1, 15' x 18'; No. 2, 13' x 12'; No. 3, 15' x 13'; stretchers and beds all close together; innumerable marks of bugs in these rooms.
158	"	14		7	5	1									No. 2, 12' x 13'; No. 3, woman; bad smell down stairs.
160	"	5		1	1	1									No. 3, girl and man in bed.
156	"	2		1	1										One furnished room.
154	"	8		5	3										No. 1, 14' x 17'; no ventilation; very hot. One room occupied by married couple.
—	King and Clarence...	24		6	5	4	5								Rooms very small; beds very clean.
134	Clarence	14		5	4	4	1								Gd. house; ventilation very bad; rooms dark. No. 4, woman.
132	"	16		7	4										No. 1, 12' x 14'.
130	"	15		7	4	7									No. 1, 12' x 14'.
128	"	14		7	4	7									No. 1, 12' x 14'.
126	"	16		7	4	7									No. 1, 12' x 14'.
124	"	15		7	6	8	2	2							Extra rooms. Largest room 14' x 17'; extra rooms very small, and next to closet.
122	"	12		4	4	3	2								Back room very small.
118	"	12		6	4	6	4								
114	"	18		5	5	5	4								Rooms very hot; no ventilation.
145	"	15		3	3	4	4	1							No. 4, 13' x 15'.
—	Sussex			5	1	2	1	1							No. 6, 1 bed; 7, 1 bed; 8, 1 bed; 9, 1 bed; 10, 3 beds; 11, 1 bed; 12, large dancing-room. This is Taylor's lodging-house.
79	Clarence	20		4	1	3	1	1							Nos. 2 and 4, married people. Clean.
77	"			4	4	4	4								Nos. 1 to 4 all large; No. 5, married people; No. 6, married people.
290	Sussex			2	3										Rooms very small.
221	"	12	9												Premises clean; five rooms upstairs, 9' x 8'.
—	Fowler-square	3	5	1	2										Gd. house—3 beds in back-room, 10' x 15'; filthy lodging-house for old women. No. 1, 16' x 12'; beds on floor.
242	Sussex	7	2	5	2										No. 1, 14' x 12'; No. 2, 14' x 8'; Chinamen.
200	"			4	2										No. 1, 16' x 14'; No. 2, 14' x 12'.
188	"			2	4										No. 1, 12' x 8'; No. 2, 20' x 15'.
176	"			7	4	4									No. 1, 15' x 15'; No. 2, 15' x 9'; No. 3, 15' x 9'; one stretcher on landing.
174	"			1	5	1	1	9	4						No. 1, 12' x 5'; 2, 18' x 16'; 3, 21' x 16'; house for prostitutes; men and women sleep indiscriminately together in the rooms.
100	"			6	2	1	8								
92	"			4	4	6	4	7							
18	"			5	4	8	1								Remarkably clean.
—	"			5	3										Clean.
186	Clarence			3											14' x 11'.
180	"			5											13' x 11'.
—	Stubbs'-place			5		3									14' x 13, for old women.

Sydney, 30/3/76.

R. SEYMOUR,
Inspector of Nuisances.

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

COMMON LODGING-HOUSES.

(PETITION OF CERTAIN RESIDENTS OF SYDNEY.)

Ordered by the Legislative Assembly to be printed, 16 August, 1876.

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

The humble Petition of the undersigned Citizens of Sydney,—

HUMBLY SHOWETH:—

Your Petitioners pray your Honorable House may not (notwithstanding the lateness of the Session) consent to be prorogued until a stringent law be passed to suppress the atrocities committed by the Chinese population in the heart of the metropolis which have been disclosed before Committee appointed by your Honorable House to inquire into the Common Lodging-houses, and which are absolutely disgraceful, and calculated to work injuriously upon the health and morals of the people, as well as to excite public indignation, if not violence.

We pray that these enormities, shocking to human nature and derogatory to the welfare of the community, may not be suffered to exist any longer in the midst of our population, exposing childhood to the brutal lusts and unnatural vices of these foreigners.

Your Petitioners further pray that such law may include the Common Lodging-houses of the City and Suburbs, many of which are represented to be calculated to generate disease and increase the nuisances already dangerous to the health and life of our population.

And your Petitioners pray the early consideration of your Honorable House to the aforesaid premises, and will, as in duty bound, ever pray, &c., &c.

[*Here follow 206 signatures.*]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

PROGRESS REPORT FROM THE SELECT COMMITTEE

ON

EMPLOYMENT OF CHILDREN ;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
3 August, 1876.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1876.

1875-6.

EXTRACTS FROM THE VOTES AND PROCEEDINGS OF THE
LEGISLATIVE ASSEMBLY.

VOTES No. 17. TUESDAY, 14 DECEMBER, 1875.

8. EMPLOYMENT OF CHILDREN (*"Formal" Motion*):—Mr. W. H. Suttor 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 employment of persons of tender age in trades, professions, and callings; unsuited to their years, and calculated to be injurious alike to their physical as well as their moral development.
- (2.) That such Committee consist of Mr. Stephen Brown, Mr. Burns, Mr. Cameron, Mr. H. C. Dangar, Mr. Farnell, Mr. Stuart, Mr. Fitzpatrick, and the Mover.
- Question put and passed.

VOTES No. 21. TUESDAY, 21 DECEMBER, 1875.

5. EMPLOYMENT OF CHILDREN:—Mr. W. H. Suttor (*with the concurrence of the House*) moved, without Notice, That the Select Committee now sitting on "Employment of Children" be authorized to make visits of inspection to, and to hold inquiries at, places in which children of tender age are employed.
- Question put and passed.

VOTES No. 43. WEDNESDAY, 16 FEBRUARY, 1876.

9. EMPLOYMENT OF CHILDREN:—Mr. W. H. Suttor (*by consent*) moved, without Notice, That the names of Mr. F. B. Suttor and Mr. W. Watson be added to the Select Committee now sitting on the "Employment of Children," and that the name of Mr. Stuart, which, in consequence of his resignation, was withdrawn, be restored to the said Committee.
- Question put and passed.

VOTES No. 63. WEDNESDAY, 22 MARCH, 1876.

2. EMPLOYMENT OF CHILDREN:—Mr. W. H. Suttor moved (*by consent*), without Notice, That the name of Mr. Jacob be substituted for that of Mr. W. Watson (who has resigned from ill health) on the Committee now sitting on the "Employment of Children."
- Question put and passed.

VOTES No. 134. THURSDAY, 3 AUGUST, 1876.

3. EMPLOYMENT OF CHILDREN:—Mr. W. H. Suttor, as Chairman, brought up a Progress Report from, and laid upon the Table the Minutes of Proceedings of, and Evidence taken before, the Select Committee for whose consideration and report this subject was referred on 14th December, 1875, together with Appendix.
- Ordered to be printed.

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1875-6.

EMPLOYMENT OF CHILDREN.

REPORT.

THE SELECT COMMITTEE of the Legislative Assembly, appointed on the 14th December, 1875,—“with power to send for persons and papers, to inquire into, and report upon, the employment of persons of tender age in trades, professions, and callings, unsuited to their years, and calculated to be injurious alike to their physical as well as their moral development,”—and to whom authority was granted on the 21st December, 1875,—“to make visits of inspection to, and to hold inquiries at, places in which children of tender age are employed,”—have agreed to the following Progress Report:—

Your Committee have inquired into the matters referred to them, and examined the witnesses named in the List,* but in consequence of the advanced period of the Session they have resolved to report the Evidence taken, together with the Appendices thereto, to your Honorable House, and to recommend that the Committee be re-appointed early next Session.

* See List,
page 8.

W. H. SUTTOR, JUN.,
Chairman.

No. 3 Committee Room;

Sydney, 27th July, 1876.

PROCEEDINGS OF THE COMMITTEE.

FRIDAY, 17 DECEMBER, 1875.

MEMBERS PRESENT:—

Mr. W. H. Suttor, | Mr. Farnell,
Mr. Fitzpatrick.

Mr. W. H. Suttor called to the Chair.

Entry from Votes and Proceedings appointing the Committee, *read* by the Clerk.

Committee deliberated.

Resolved.—That the Chairman take the necessary steps to obtain leave for this Committee to make visits of inspection.

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

[Adjourned.]

WEDNESDAY, 12 JANUARY, 1876.

MEMBERS PRESENT:—

Mr. Farnell, | Mr. Stuart.

In the absence of a quorum, the meeting called for this day lapsed.

THURSDAY, 20 JANUARY, 1876.

MEMBERS PRESENT:—

Mr. W. H. Suttor in the Chair.

Mr. Farnell, | Mr. Stuart.

Entry from Votes and Proceedings authorizing the Committee to make visits of inspection, *read* by the Clerk.

Mr. James Cook (*Brickmaker*), called in and examined.

Witness withdrew.

Committee deliberated.

[Adjourned to Tuesday next, at *Two* o'clock.]

TUESDAY, 25 JANUARY, 1876.

MEMBERS PRESENT:—

Mr. W. H. Suttor, | Mr. Farnell.

In the absence of a quorum, the meeting called for this day lapsed.

TUESDAY, 1 FEBRUARY, 1876.

MEMBERS PRESENT:—

Mr. W. H. Suttor in the Chair.

Mr. Farnell, | Mr. Fitzpatrick,
Mr. Stuart.

Mr. R. W. Guille (*Church of England Denominational School Teacher*), called in and examined.

Witness withdrew.

Mr. F. J. Goodsell (*Brick-merchant*), called in and examined.

Witness withdrew.

Committee deliberated.

Ordered.—That circulars be sent to manufacturers and others who employ children of tender years, requesting them to furnish the Committee with information bearing upon the subject of the inquiry.

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

THURSDAY, 3 FEBRUARY, 1876.

MEMBERS PRESENT:—

Mr. W. H. Suttor in the Chair.

Mr. Stuart, | Mr. Farnell.

The Committee having met they proceeded to the Church of England Certified Denominational School, at St. Peter's, and there inspected the boys attending the school who had been employed in the brickyards as puggers-up, and having obtained certain information (*see Evidence, page 8*), they proceeded to Mr. Tozer's brickyard, and afterwards to Mr. Harber's, and at these places obtained further information respecting the boys employed there (*see Evidence, page 8*), and thence they returned to the Committee Room.

Committee deliberated.

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

[Adjourned.]

THURSDAY,

THURSDAY, 10 FEBRUARY, 1876.

MEMBERS PRESENT:—

Mr. W. H. Suttor in the Chair.

Mr. Farnell,	|	Mr. Cameron,
Mr. H. C. Dangar,	|	Mr. Fitzpatrick.

Douglas Dixon, Esq. (of the firm of Cameron, Dunn, & Co., Tobacco Manufacturers), called in and examined.

Witness withdrew.

Arthur Hunt, Esq. (of the firm of A. W. Sutton & Co., Tobacco Manufacturers), called in and examined.

Witness handed in Return of young persons employed in his Factory, showing ages and rates of wages, which was ordered to be appended. (See Appendix A.)

Witness withdrew.

Committee deliberated.

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

[Adjourned.]

THURSDAY, 17 FEBRUARY, 1876.

MEMBERS PRESENT:—

Mr. W. H. Suttor,		Mr. Fitzpatrick.
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In the absence of a quorum, the meeting called for this day lapsed.

TUESDAY, 22 FEBRUARY, 1876.

MEMBERS PRESENT:—

Mr. W. H. Suttor in the Chair.

Mr. Farnell,		Mr. W. Watson.
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Entry from Votes and Proceedings adding members to the Committee, read by the Clerk.

The Committee then proceeded to visit the tobacco manufactories of Messrs. Cameron, Dunn, & Co., Messrs. Dixon & Sons, and Messrs. Sutton & Co., and to inspect the respective premises and the children employed therein, and having obtained certain information (see Minutes of Evidence, page 13) they returned to the Committee Room.

Committee deliberated.

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

[Adjourned.]

THURSDAY, 24 FEBRUARY, 1876.

MEMBERS PRESENT:—

Mr. W. H. Suttor in the Chair.

Mr. F. B. Suttor,	|	Mr. W. Watson,
	|	Mr. Farnell.

W. M. Alderson, Esq. (of the firm of Alderson & Sons, Leather Manufacturers), called in and examined.

Witness withdrew.

Committee deliberated.

Ordered,—That J. Davenport, Esq., J. E. Woodward, Esq., and Miss Mary Donohoe be summoned to give evidence next meeting.

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

THURSDAY, 2 MARCH, 1876.

MEMBERS PRESENT:—

Mr. W. H. Suttor in the Chair.

Mr. Farnell,	|	Mr. W. Watson,
Mr. H. C. Dangar,	|	Mr. Cameron.

James Emanuel Woodward, Esq. (of the Firm of D. Jones & Co.), called in and examined.

Witness withdrew.

Miss Mary Donohoe called in and examined.

Witness withdrew.

Resolved,—That the sum of 2s. 6d. be allowed to Miss Donohoe, as expenses incurred in attending as witness before this Committee.

Committee deliberated.

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

FRIDAY,

FRIDAY, 3 MARCH, 1876.

MEMBERS PRESENT:—

Mr. W. H. Suttor, | Mr. Farnell,
Mr. F. B. Suttor.

The Committee having met, they proceeded on a visit of inspection to the premises of Messrs. Alderson & Sons, Leather Manufacturers, and having obtained certain information (see *Minutes of Evidence*, page 19) in reference to the children employed therein, they returned to the Committee Room. Committee deliberated.

Ordered,—That J. Vicars, Esq., and A. H. C. Macafee, Esq., be summoned to give evidence next meeting.

[Adjourned to Wednesday next at Two o'clock.]

WEDNESDAY, 8 MARCH, 1876.

MEMBERS PRESENT:—

Mr. W. H. Suttor, | Mr. Farnell.

In the absence of a quorum, the meeting called for this day lapsed.

THURSDAY, 9 MARCH, 1876.

MEMBERS PRESENT:—

Mr. W. H. Suttor in the Chair.

Mr. F. B. Suttor, | Mr. Farnell.

The Committee having met, they proceeded to visit the premises of Messrs. Wright, Davenport, & Co. (*Leather Manufacturers*), and having inspected the children employed therein, and obtained certain information (see *Minutes of Evidence*, page 20), they returned to the Committee Room.

Committee deliberated.

Ordered,—That Mr. Joseph Thomas and John Vicars, Esq., be summoned to give evidence next meeting.

[Adjourned to To-morrow, at Two o'clock.]

FRIDAY, 10 MARCH, 1876.

MEMBERS PRESENT:—

Mr. W. H. Suttor in the Chair.

Mr. Cameron, | Mr. H. C. Dangar,
Mr. Farnell, | Mr. W. Watson.

Mr. Joseph Thomas (*Foreman to T. O. Dadswell, bootmaker*), called in and examined.

Witness withdrew.

John Vicars, Esq. (*Tweed Manufacturer*), called in and examined.

Witness withdrew.

Committee deliberated.

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

TUESDAY, 14 MARCH, 1876.

MEMBERS PRESENT:—

Mr. W. H. Suttor, | Mr. W. Watson.

In the absence of a quorum, the meeting called for this day lapsed.

THURSDAY, 16 MARCH, 1876.

MEMBERS PRESENT:—

Mr. W. H. Suttor in the Chair.

Mr. Farnell, | Mr. F. B. Suttor.

The Committee having met, they proceeded to visit the premises of Messrs. Vicars & Co. (*Tweed Manufacturers*), and having inspected the children employed therein, and obtained certain information (see *Minutes of Evidence*, page 27), relative thereto, they returned to the Committee Room.

Committee deliberated.

Ordered,—That Charles J. Byrnes, Esq., M.P., be requested, and C. K. Moore, Esq., be summoned, to give evidence next meeting.

[Adjourned to To-morrow at Two o'clock.]

FRIDAY,

FRIDAY, 17 MARCH, 1876.

MEMBERS PRESENT:—

Mr. W. H. Suttor in the Chair.

Mr. Farnell, | Mr. F. B. Suttor.

Charles Joseph Byrnes, Esq., M.P., called in and examined.

Witness withdrew.

Committee deliberated.

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

WEDNESDAY, 22 MARCH, 1876.

MEMBERS PRESENT:—

Mr. W. H. Suttor, | Mr. Farnell.

In the absence of a quorum, the meeting called for this day lapsed.

WEDNESDAY, 29 MARCH, 1876.

MEMBERS PRESENT:—

Mr. W. H. Suttor in the Chair.

Mr. H. C. Dangar, | Mr. Jacob,
Mr. Farnell.

Entry from Votes and Proceedings substituting name of Mr. Jacob for that of Mr. W. Watson as a Member of the Committee, read by the Clerk.

Thomas Lewis, Esq. (*Inspector of Collieries*), called in and examined.

Witness withdrew.

Clerk submitted claim of Mr. Thomas Lewis for expenses incurred in attending before the Committee as a witness.

Committee deliberated.

Resolved,—That the sum of £4 be awarded to Mr. Thomas Lewis, as expenses incurred in attending before this Committee.

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

[Adjourned.]

THURSDAY, 4 MAY, 1876.

MEMBERS PRESENT:—

Mr. W. H. Suttor in the Chair.

Mr. F. B. Suttor, | Mr. H. C. Dangar,
Mr. Jacob.

Captain J. S. V. Mein (*Superintendent in charge of the Training Ship "Vernon"*), called in and examined.

Witness withdrew.

Committee deliberated.

Ordered,—That Arthur Renwick, Esq., M.D., be summoned to give evidence next meeting.

[Adjourned to To-morrow at half-past Two o'clock.]

FRIDAY, 5 MAY, 1876.

MEMBERS PRESENT:—

Mr. W. H. Suttor in the Chair.

Mr. Farnell, | Mr. Cameron,
Mr. Jacob, | Mr. F. B. Suttor.

Arthur Renwick, Esq., M.D., called in and examined.

Witness withdrew.

Committee deliberated.

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

WEDNESDAY, 10 MAY, 1876.

MEMBERS PRESENT:—

Mr. W. H. Suttor in the Chair.

Mr. Farnell, | Mr. Burns,
Mr. Jacob, | Mr. H. C. Dangar.

The Committee having met, they proceeded to visit the Nautical School Ship "Vernon," and having inspected the boys and obtained certain information (*See Minutes of Evidence, page 39*), they returned to the Committee Room.

Committee deliberated.

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

[Adjourned.]

THURSDAY,

THURSDAY, 18 MAY, 1876.

MEMBERS PRESENT:—

Mr. W. H. Suttor in the Chair.

Mr. Farnell, | Mr. F. B. Suttor,
Mr. Jacob.

Mrs. Ann Kendall (*Matron of the Sydney Industrial School*), called in and examined.

Witness withdrew.

Mr. John Matthew May (*Superintendent of the Randwick Destitute Asylum*), called in and examined.

Witness withdrew.

Committee deliberated.

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

[Adjourned.]

WEDNESDAY, 21 JUNE, 1876.

MEMBER PRESENT:—

Mr. Jacob.

In the absence of a quorum, the meeting called for this day lapsed.

THURSDAY, 29 JUNE, 1876.

MEMBERS PRESENT:—

Mr. W. H. Suttor, | Mr. Farnell.

In the absence of a quorum, the meeting called for this day lapsed.

WEDNESDAY 5 JULY, 1876.

MEMBERS PRESENT:—

Mr. W. H. Suttor in the Chair.

Mr. H. C. Dangar, | Mr. Jacob,
Mr. Farnell.

Mr. William Warner (*Public School Teacher, Marrickville*), called in and examined.

Witness withdrew.

Mr. Joseph Coates (*Head Master, Fort-street Public School*), called in and examined.

Witness withdrew.

Committee deliberated.

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

[Adjourned.]

WEDNESDAY, 26 JULY, 1876.

In the absence of a quorum, the meeting called for this day lapsed.

THURSDAY, 27 JULY, 1876.

MEMBERS PRESENT:—

Mr. W. H. Suttor in the Chair.

Mr. Cameron, | Mr. Farnell.

Clerk submitted letter from Captain Mein supplementing his evidence; and letter of Mr. James Cook in reference to the boys employed in the Brickmaking trade at St. Peter's, which were ordered to be appended. (*See Appendices B & C.*)

Resolved.—That the information obtained by circular from the employers of children of tender years be printed in tabulated form as an appendix to the evidence. (*See Appendix D.*)

Chairman submitted Draft Progress Report; same read and *agreed to*.

Chairman to report to the House.

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1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

MINUTES OF EVIDENCE

TAKEN BEFORE

THE SELECT COMMITTEE

ON THE

EMPLOYMENT OF CHILDREN.

THURSDAY, 20 JANUARY, 1876.

Present:—

MR. FARNELL, | MR. STUART,
MR. W. H. SUTTOR.

WILLIAM H. SUTTOR, JUN., ESQ., IN THE CHAIR.

Mr. James Cook called in and examined:—

1. *Chairman.*] Where do you reside? At St. Peter's, Cook's River.
2. What is your occupation? Brickmaker.
3. Are you a working or a master brickmaker? A working brickmaker, on my own account.
4. Are there many brickyards established in that neighbourhood? I suppose about from sixty to eighty.
5. In what part of the district are they? The chief portion of them are on the Waterloo Flat.
6. Are there many persons employed working at these brickyards? Yes, one man and a boy to each stool.
7. How many stools at each pit? Generally three stools to each kiln; at some there are five.
8. What ages are the boys you speak of? They go from 8 years up to 14.
9. Are there many as young as 8 years? There are some younger; they may not be there now, but they have commenced to work before they have been that age.
10. Can you tell the Committee what work these children do? Their work is to fetch up all the clay that the man uses, to carry all the sand, and in a great many instances to roll the walks, that is, the lump of clay, to make it into a rough brick before it goes to the man.
11. Is it very laborious work? Well, it is.
12. Are the children worked long hours? Three years ago we adopted the ten hours principle, but before that it was from daylight to dark.
13. Children of the ages you have mentioned work ten hours? Yes.
14. Do they get any intervals of rest? Only the hours for breakfast and dinner. From 6 o'clock to breakfast-time is the time they have the easiest work, because that is the time the men are tempering their clay; but in the event of a man having his clay tempered for him, they are at it from 6 o'clock to 6.
15. Is brickmaking carried on here all the year round? Yes.
16. What is the educational condition of these children? I think the best answer to that question is to read you a note I received from the Church of England Schoolmaster at St. Peter's—Mr. Guille. I sent him a short note as follows:—"Dear Sir,—I have just received from W. H. Suttor, Esq., a note, stating that I may expect to be summoned before the Select Committee early next week; would you kindly give me any information you may be able, to further the object I have in view, as early as may be convenient." To which Mr. Guille replies:—"As to the age at which children are sent to work in the brickyards, I have many instances of children being removed from the *infant* department to go pugging up; that would be from the ages of 6 to 8 years. Of those who attend school after that age their attendance is so irregular, through having to go pugging, that little progress can be made, and they remain in one class for years. Some of these only attend an average of three or four weeks in a quarter, and as their name appears on the school-roll the parents seem to think that sufficient for conscience sake. When the Rev. Mr. Baber commenced

Mr. J. Cook.

20 Jan., 1876.

Mr. J. Cook. commenced his night-school (and it was on account of the above state of things that he started it), he made a rule that none under 14 years should be admitted for fear some might be removed from school and sent pugging, that they might attend the night-school. But Mr. Baber soon found he would have to close the school or admit them younger. So he reduced the age to 11, and then many said very hard things about him because he would not admit boys of 8 and 9 years old, who were working all day in the brickyards. My experience as a teacher is, that there is scarcely a trade where there are so many illiterates as are to be found among the brickmakers of St. Peter's; and I impute it to the early age at which they have to go pugging up. Of course there are noble exceptions, where the children have been kept well at school, but parents who keep their children at school are heavily handicapped in the earnings of the family, as a boy can earn about as many shillings a week as he is years of age, which is very different from paying school fees when there is a family to be brought up. The Sunday-schools assist some boys with their reading, but for writing or arithmetic five-sixths of them have scarcely any knowledge at all of these subjects."

20 Jan., 1876.

17. What wages do the children earn from 8 to 14? They generally get from 10s. to 14s. The first price that is given to a boy when he can only pug-up is from 9s. to 10s., and as soon as he can roll in the walks he gets more pay. The boy I have now is 15 years of age, and I pay him £1 a week.

18. *Mr. Farnell.*] These boys are taught the art of brickmaking? Yes; it is easily learnt—there is no difficulty.

19. *Chairman.*] Have you made any calculation as to the amount of labour a boy brickmaking would undergo in the course of the day? The number of bricks we generally make, when we have our clay tempered, in the summer months, is from 1,500 to 2,000 in a day; the average is about 1,500.

20. The boy has to carry the whole of that clay? Yes. It is nearer for some boys than others; but I have worked at one pit where it was 22 yards from the pit to the stool I work at.

21. *Mr. Stuart.*] That is an excessive distance? Yes.

22. What is the usual distance? From 10 to 14 yards. It is where the mills are that the distance is farthest, because while the mill is stationary the clay is worked back farther and farther away, whereas a stool can be moved nearer to the pit from time to time.

23. *Chairman.*] Have the boys to carry the clay out of a steep pit? I took the depth and the incline of the plank in one pit; the pits are 14 feet deep, and the incline 1 in 3. The boy fetches up, on an average, clay for five bricks at a time up that; sometimes five and sometimes six. It requires ten pounds of clay for each brick, so that each load is about fifty pounds.

24. Does it seem to have any distressing effect upon the boys—is it very tiring work? Yes, it is tiring work.

25. Do you think that after a day's work of that kind a boy can be in any condition to learn anything at a night-school? No, certainly not.

26. He has no opportunity of learning anything during the day? No. In St. Peter's Sunday-school I counted for three Sundays the attendance of boys that work in the brickyards, and out of the whole number I only found three.

27. *Mr. Stuart.*] There are other Sunday-schools in the neighbourhood? Yes, there is one.

28. *Chairman.*] Who receive the boys' wages—do they get the benefit themselves? Their parents get the benefit. There is an instance of one person working in the next yard to me; he has six boys in his family, and they are all at work, and out of the six not one can read or write so that you can understand him. The youngest is 9 years of age, and he tells me he has been at work in the brickyard for four years.

29. Are there any females employed in this way? There were five some time ago, but now there are only two girls; the youngest is 9, and the other is 15 years of age.

30. What work do they do? One makes, and the other pugs up.

31. By "makes" you mean moulds bricks? Yes; in fact she can beat her father. One of the daughters of that family is now at service, but she used to work in the brickyard; she is an older one still.

32. Do the boys work the same hours at the mills as they do at the smaller places? Yes, they work harder, for while we are tempering our clay in the morning, which generally takes us two hours and a half, the boys have little or nothing to do; what they generally do during that time is to get their dry sand ready for our use; but at the mills they are at work all the time.

33. Do the boys complain at all? They do not complain at first, but after the first few months they are very glad to get away.

34. Are they subject to much ill usage? No, not ill usage. There is generally plenty of talk.

35. Talk of a somewhat rough description? Yes.

36. *Mr. Farnell.*] When these children are employed at this pugging up, as you term it, are their parents employed there too? In a great many instances they are employed with their fathers—perhaps in the majority of cases; but there are some cases where the parents have nothing to do with the brickyards at all.

37. In this case the children are hired by the proprietors of the brickyards? No, not by the proprietors; we all work by piece-work, and employ our own boys.

38. Then it is the person employed to make the bricks who engage these children and pay them? Yes.

39. *Chairman.*] I suppose when a lad becomes older than 14 he gets promotion? The employer then generally gets two of them and gives them a stool between them.

40. These boys are hired from other parents than brickmakers? Yes; and where a brickmaker has got more than one boy he is employed by others.

41. *Mr. Farnell.*] How much a thousand do you get for moulding bricks? We get £1 2s. 6d. now for making, setting, and burning; when they are burnt we are paid £1 2s. 6d. per thousand.

42. Do you find the wood? No; we have to burn them with wood supplied to us.

43. And you pay your own pugger-up? Yes.

44. Is your opinion that these children are of too tender an age to be employed in this occupation? It is.

45. From your experience, what effect has this kind of work upon the children—I mean physically? From the way they have constantly to lean back, when carrying the clay, it generally causes weakness in the knees. There are two boys I know now—one named Burrows, and one named King—who have had to be taken away from the brickyard altogether, being unfit for the work from weakness in the knees.

46. As I understand you, the children employed in this pursuit receive no educational instruction whatever? They receive no education at all, unless there is a night-school, and they are of that class of boys that when they go to a night-school they carry on with nothing but mischief and play, so that they take no learning. I had two notes one week to go and assist Mr. Baber with his class, and I always found that was the case. It was more the up-grown men, married people, that took an interest in the night-school. It was as much as we could do to keep the boys in order.
47. Of course at the night-school the attendance would be voluntary? Yes.
48. Do the parents themselves show any desire that their children should receive some education? Yes, several persons have come to Mr. Baber and asked him to admit their younger children to the night-school, under the age he had fixed, but he would not do it.
49. Could the parents of these children employed in the brickyards, out of the wages they themselves earn, afford to keep these children at school by day? Yes. I have five of my own, and four out of the five I send to school; the oldest is 12 years of age, and I still keep her at school. There are men that earn more money than I do, and I should say they ought also to be able to keep their children at school. You may take our average earnings at £3 a week in fine weather.
50. You think that what you have done other persons working in brickyards could do also if they were frugal persons? Yes; I may state that brickmakers in this country are not generally what they are in England; they spend very little of their time in the public-house.
51. Sunday-schools do not supply elementary education the same as a public school? No, nothing is done but religious teaching.
52. Have you noticed that the children who have attended the Sunday-schools have been improved by it? Yes, I have one in my own class who has been there two years, that I know has improved a great deal in reading.
53. Is it your opinion that children of the tender age spoken of should not be employed in this particular avocation? Yes, I believe so, not till they are 13 years of age at least.
54. As being detrimental to them socially, morally, and physically? Yes.
55. *Chairman.*] Are they subject to any special complaint? The chief complaint is cough. They are always working barefoot; in most cases after breakfast-time they take their boots off, and of course they have got to be in water or damp earth. Coughs and colds are what they are principally subject to.
56. Does not the moist clay rest against the boy's chest as he carries it? He has always got what we call an apron against his chest, and I have seen some of them quite wet to the skin where they are not supplied with a good canvas or leather apron.
57. *Mr. Farnell.*] As I understand, these boys carry out of the pit all the clay that is moulded into bricks? Yes.
58. They do not carry out the bricks when moulded to the kiln? No.
59. You put them on a board and wheel them? Yes.
60. *Chairman.*] Could not some mechanical appliance be used by which the clay could be brought from the pit to the table? At one pit, Mr. Harber's, he has introduced machinery from Melbourne for the purpose. A horse works it. It puts the clay from the pit into a pug-mill, and the clay comes out on to the table. The pit is 15 feet deep.
61. Is it not very expensive, I believe? No, it cost him about £80. It is very simple.
62. Are these lads under indentures of apprenticeship to their employers? No.
63. *Mr. Stuart.*] How about bad weather? During wet weather of course we cannot work.
64. Is work stopped altogether? It is, unless it is what we call drabbly weather, and then we generally go into the pit and dig our clay, and the boy assists.
65. He is relieved from any carrying? Yes, during all wet weather.
66. You say that in your opinion boys under 13 years of age should not be employed in this work—Suppose they were employed half time at work, and half time at school? That system would not do for brickmaking; I have thought that over, but I cannot see how we could adopt that principle at all. For the first four years I was in the Colony there were no boys employed at all; we had a three-handed stool—a man to temper the clay, a man to wheel the bricks away and fetch clay up to the table, and a man to mould. The first that I remember who employed a boy was a man named Boots.
67. Suppose you had two boys, one working the first half of the day, and the other the second half? Of course they would have to change about week by week, the same as they do the factory hands in England. I did two years at that in England.
68. The amount of labour a boy would have to do would be reduced one half? Yes.
69. Do you think then that such work would be too heavy for a boy from 10 to 13 years of age? Well, I do not know; I know it is very hard work while they are at it.
70. There would not be continuity of labour? No.
71. Who is the largest brickmaker in the district you have been speaking of? Messrs. Goodsell and Tye, and Mr. Edwards.
72. Have you any idea how many boys they employ? Mr. Edwards has about eleven stools on, I think, but Mr. Goodsell mostly makes by the machine.
73. And employs, I suppose, chiefly boys? Yes, there are four boys at work and two men to wheel the bricks away.
74. Does he employ boys to carry clay to the pug mill? No, the clay comes up in the same way as at Mr. Harber's, by machinery.
75. What are the aprons you speak of made of? They are mostly made of corn-sacks, and in some instances of canvas or sheepskins.
76. How far have these boys to come to their work generally? They generally live pretty close to their work; in some instances only a few yards away, others a quarter of a mile; but some come from Newtown, whose parents are not connected with the trade.
77. The brickyards are very much congregated together? Yes.
78. How far is it from a central position among them to the school? It is a little over a quarter of a mile to the Church of England school.
79. What other schools are there? No others except a private school.
80. Is there not the Marrickville Public School? That is within three-quarters of a mile.
81. There are some brickyards over on the Marrickville side, where they use machinery, are there not?
There

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Mr. J. Cook. There is Playford's, but that is only for grinding the clay; they do not use it now for making bricks. And there is Mr. Guerin's—he has an engine and fetches the clay up from the pit, something similar to the other; that is where the two girls work.

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82. Do we understand that one of these boys will carry about 6 tons of clay on an average for about 16 yards each day? Yes. There are three stools at the mill where I worked,—a man named Gardiner, a man named Edwards, and myself; I have the furthest to wheel my bricks; I make about 1,300, Edwards 1,500, and Gardiner 1,700, in a day. That was the average during the time I was there. Gardiner has made as many as 2,100 or 2,070.

83. One boy carried all this clay? Yes, one boy carried the whole of it.

84. 1,500 bricks would be about an average day's work, and ten pounds of clay for each brick? Yes.

85. That would be over 6 tons and a half of clay carried by one boy in a day? Yes.

86. Carrying clay for five bricks at a time, he would make about 300 trips on an average, 16 yards each way? Yes, he would walk nearly six miles altogether—one way loaded, the other empty. In my case the boy has to go 22 yards.

87. Do the boys carry the clay on anything? No; they just merely roll it up in a lump and take it in their bare arms. They are exposed to the sun during the whole time they are carrying the clay.

88. *Chairman.*] Is brickmaking an increasing business in the neighbourhood? Yes.

89. *Mr. Stuart.*] Is there much crime amongst the brickmakers? No; there are some instances of drunkenness, but it is very rare.

90. What is the character of their amusements? Cricket is what the boys take most interest in. I believe there are some cases where they go playing pitch and toss on a Sunday afternoon, down in the scrub, but that is very rare I think.

91. Cockfighting or anything of that sort? No, not much.

92. That used to prevail amongst the brickmakers in England? Yes, in England it did; but there are only about three in our neighbourhood in any way connected with cockfighting.

93. *Chairman.*] I suppose the boys indulge in a little pugilism? Well, they fight their own battles, that is all.

94. *Mr. Stuart.*] There is no special amusement other than cricket? No.

95. No great indulgence in any vicious amusement? No.

96. Then you count them a moderately steady set of people altogether? Yes; but I believe their morals are on the decline, as regards the boys from 14 years upwards; the parents have not the same control over them now as they had in years gone by.

97. That is not confined to brickmakers is it? I cannot speak of other employments. I know that as regards first-class boys in the Sunday-school, sixteen years ago there was a class of twenty-four, and until within the last couple or three months there was no class at all like it.

98. *Mr. Farnell.*] The youths are not so docile as they used to be? No.

99. *Chairman.*] Have wages risen amongst these boys? Yes.

100. To what extent? The boy that we are now paying a pound a week to, ten or twelve years ago we could have him for ten or fourteen shillings; but that is caused through the scarcity of boys. If one brickmaker has got a good boy and only pays him a certain price, if another brickmaker wants him he offers two or three shillings a week more, and of course the boy takes it.

101. Does that apply to the younger lads too? Yes.

102. *Mr. Farnell.*] Can the brickmakers supply the demand for bricks? Up to within the last six weeks we have been what I may term very busy, but now there is quite an alteration, and some of the employers are reducing their labour. There is not so great a demand for bricks as there was a short time back. I have myself been in brickyards ever since I was 9 years of age, up to 16, in England. We worked then from half-past 2 or 3 in the morning till half-past 9 or 10 o'clock at night, for about seven months in the year; but we had no pugging-up to do.

103. *Mr. Stuart.*] You were idle the other five months, I suppose? We generally used to be sent to school, but we might as well have been kept away, because we forgot more in the summer than we learned in the winter.

TUESDAY, 1 FEBRUARY, 1876.

Present:—

MR. FARNELL,

MR. FITZPATRICK,

MR. STUART.

WILLIAM. H. SUTTON, JUN., ESQ., IN THE CHAIR.

Mr. Richard William Guille examined:—

Mr. R. W. Guille. 104. *Chairman.*] What is your profession? I am teacher of the Certified Church of England Denomi-
national School, St. Peter's, Cook's River.

105. Have you any knowledge of any young children in that neighbourhood being employed in any avocation? Yes. I know many of them are employed from a very early age.

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106. In what trade? In brickmaking—in pugging, I think they call it.

107. In any other trade? I am not aware of any other in which children of an early age are employed.

108. At what age are they employed? At a very early age. I have a list here of thirteen names of children who were removed from the infant department of my school within the last five years to go pugging, and children are not as a rule kept in that department over the age of 7.

109. Who removed them? Their parents.

110. Did the parents hire them out to brickmakers? They are mostly the children of brickmakers.

111. Do you know if children of this age are employed in this occupation? I think there are some as young as that; I know there are some as young as 8 or 9 years old.

112. Can you give the Committee some idea of the kind of work in which they are employed? In carrying clay.

113. How many hours a day are they employed? I think they work from 6 o'clock in the morning till 6 at night.

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114. Have you seen them at work? I have.

115. Would you call it laborious work for children of that age to be so employed? Very.

116. You say some of these children have been at your school;—what was the state of their education on leaving school? Of course those who were in the infant department were in the elementary or first stage of their education, but most of them were about the second class of children according to the Council of Education's standard.

117. Did any of these children come back to receive further education after they had been sent to work? Occasionally they have come to school for a fortnight or so, during the time the men have been burning or emptying the kilns, perhaps for a fortnight in three months.

118. Have you had any opportunity of judging of the effects of this work upon the physical organization of these children who after leaving your school have returned? It does not appear to have had any ill effects physically, though their manners and conduct have often become very unsatisfactory.

119. Where children are employed in a brickyard from 6 to 6, would there be any disposition to learn if they came to school after working hours? I think not. For three successive years I endeavoured to establish evening classes for them, but I found they were generally disposed to drop off asleep. The Revd. Mr. Baber recently established a kind of gratuitous night-school, requiring payment merely of a nominal sum for lighting and books, and he has found the same difficulty. Young men attended very well, but boys were too tired to do much good.

120. Do you know what wages are paid to the children? I think they earn about a shilling a week for every year of their age. A child of 7 would earn about 7s. Now 7s. to 25s. a week is about a pugger's wages. A boy of 16 or 17 will earn 25s., but young children from 7s. to 12s.

121. *Mr. Farnell.*] What are the circumstances of these parents you speak of? They are generally in very good circumstances; they are men in good work who can earn good wages I believe.

122. Do you think they could afford to allow their children to attend school? Yes; but then other boys must be employed in their place.

123. Could not men be employed in this work of pugging? I should think they could, but of course they would require higher wages.

124. Do these children who are employed in pugging in after years become brickmakers? I think so with very few exceptions.

125. Then they are taught the trade of a brickmaker, if it can be called a trade? Yes; it is a trade.

126. Your school is situated in about the centre of these brickyards? Yes; I have a great number of the children of brickmakers attending my school now.

127. Could a means be devised by which these children could attend school some part of the day, and follow the avocation of puggers for the remainder? I think not; the associations of the brickyard are so different from those of the school that I do not think the two could be worked together. I have generally found that the boys I have alluded to, who come back to school for a few weeks during the year, are a week or a fortnight before they can fall into the school routine, and then they are taken away again, so that they never seem to make any progress.

128. Is there a Sunday-school in the neighbourhood? Yes, there are two.

129. Do these children attend the Sunday-school? I think so.

130. *Mr. Fitzpatrick.*] You do not conceive that any physical injury ensues from the employment of these children? I have never had reason to think so; brickmakers are a very hardy class of men.

131. Your objection practically then is that these children have not a fair opportunity of schooling? Yes.

132. The work that these children do is work that must be done by somebody, and I suppose there is some economy in the employment of them? Yes, that I suppose is the cause of their employment.

133. Have you thought out this question. Suppose the Legislature were to interpose to fix the minimum age below which children should not be employed, what would your experience dictate as that age? 11 or 12 I should think.

134. You say that as a rule these children receive as many shillings per week as they are years old? I speak from the information I have received.

135. Of course if a boy of 11 or 12 were employed for the first time he would probably receive more? He would receive I dare say as much as 10s. a week, because he would be able to carry more clay than a boy of 7.

136. Then in fact it is a matter dependent upon physical power rather than upon experience? No, there is also a certain amount of skill—a boy of 14 would receive more.

137. Without experience? No, he would have had experience through having been employed two or three years.

138. Suppose the Legislature interfered and fixed a minimum of 12 years, would a boy of 13 years beginning for the first time to pug get 13s. a week? No, about 10s. There are not many instances of children so young as 7 being put to this employment. Within five years I have only had thirteen children removed from the infant department to go to pugging-up.

139. *Mr. Stuart.*] Supposing the Government were to interfere here as is done in England under the Agricultural Children's Employment Act, namely, to require them to attend school for a certain number of hours a week, or what is called half-time, could not arrangements be made in your school to carry that out? No; separate schools would have to be established—the two systems could not be worked in the same school.

140. What is your total school attendance now—how many hours per week? Twenty-five hours a week.

141. If they had half-time or twelve hours a week could not that be worked here as at Home? I am not aware how they are worked at Home. I do not think it would be possible to work these mixed schools here. Perhaps a similar system might be adopted to that carried out in the half-time schools here, that one set of children should attend in the morning and another in the afternoon on alternate days or weeks.

142. You have not paid attention to the experience of half-time schools at Home? I have not.

143. *Mr. Fitzpatrick.*] What you mean is, that half-time children could not be taught with full-time children? Yes, they would keep the full-time children back; we could not bring the half-time up to the full-time children.

144. *Mr. Stuart.*] I suppose there is no lack of labour of this kind in the district you come from? Do you mean boys?

145. Yes? No; but if the boys at present employed in the yards were taken from them and sent to school there might be a lack of them.

- Mr. R. W. Guille. 146. If they were made to go to school half-time and were allowed to work half-time, would employers be able to obtain from the district a sufficient number to carry on their work? I do not think they could get them in the district, because I think the high wages induce all the boys who would be disposed to work as brickmakers to go at present.
147. Of course education carried on in such a desultory way as you have described is very little better than none? No, the boys make little or no progress.
148. Mr. Fitzpatrick.] Is the work severe, physically? It is hard work.
149. Mr. Farnell.] I think you stated that the boys get from 7s. to £1 a week? So I am informed by the boys themselves.
150. Do the parents of these children pay them these wages, or do they retain them in their own hands? I think if they employed their own children they would retain them, but the children are often employed by others.
151. I understood you to say that the majority of the children who were employed in pugging were the children of brickmakers? Yes; but I think it is customary for two or three men to engage as partners, to take a kiln, and if they have any boys these boys are allowed certain wages, which are paid by the men. I know two have been employed working at Mr. Goodsell's machine greasing moulds who were as young as 8 or 9 years. Mr. Goodsell, who employed them, would pay their wages, even though their fathers were engaged on the works.
152. Mr. Stuart.] Has your attention been directed at all to the possibility of doing this work by machinery? I have thought it could be done. I see no reason why the clay could not be drawn from the pit by a machine as well as by a boy.
153. Chairman.] Do you know of any girls having been employed at this work? I have known only of two instances.
154. What ages were they? About 11 years of age.
155. Working at pugging-up? Yes; I have known only of two instances in my experience, and I have been at the school fourteen years.
156. It is not usual? It is not.
157. Mr. Stuart.] Your school is almost in the centre of the brickmaking district? Yes.
158. Is not Marrickville Public School equally near some of them? It is to some of them, but the majority of yards are at St. Peter's, not at Marrickville.
159. Chairman.] You have not noticed that the children have been subject to affections of the chest at all? I have not; I should have expected it, but I have not seen it.
160. Mr. Stuart.] The effect of the occupation is counteracted by the fresh air? Yes.
161. I suppose some of those who left your school when mere children to go to this occupation have now grown up to be full workmen? Yes, there are many who were in my school, who are now young men and attended the Rev. Mr. Baber's night-school, taking elementary lessons in reading.
162. They have scarcely made any intellectual advancement from the time they left you as children? None at all. I may mention that I think there are many boys employed in brickyards who have never been at school at all.
163. I am particularly anxious to draw this out: Whether there are not many whom you have been able to watch from their childhood, from the time of their leaving school until now, that they are full-grown brickmakers, whose intellects have been quite stunted, who have made no intellectual progress during the eight or ten years they have been employed in this trade? I think so. I have noticed that they have been very tired at night, that they have generally shown no disposition to study or for self-improvement, but have collected together in the streets to amuse themselves.
164. Do you find they attend the Sunday-school? I think they attend pretty well.
165. I suppose at Sunday-school there is not much reading they can learn; they chiefly commit lessons to memory? Yes.
166. Have you any further suggestions to make to the Committee? I have not, but I would like to mention that the Rev. Mr. Baber's night-school is at present closed, though it is shortly to be re-opened.

THURSDAY, 3 FEBRUARY, 1876.

Present:—

MR. FARNELL,

MR. STUART.

WILLIAM H. SUTTON, JUN., ESQ., IN THE CHAIR.

The Committee having met at the Committee Room proceeded to St. Peter's Certified Church of England School, Newtown, where they were met by Mr. Guille, the teacher of the school. In one class, consisting of about thirty boys, Mr. Guille called upon all who had been employed as puggers to stand up, when about twelve arose. These boys were of ages varying from 7 to 12.

Charles Scriber in answer to various questions from the Committee stated that he is 12 years old and has been employed as a pigger-up; can read and write; was at work all day from morning till night; was able to carry the clay but does not know how much he carried each journey from the pit; did not receive any wages as he was only learning, and was employed not more than a month; during the time he was at work was too tired to learn any lessons when he went home at night.

Arthur Edwards, is 9 years old; has worked at pugging-up for a week and a half; his father is a brickmaker; did not get any wages as he worked for his father; did not like the work; would rather come to school; is just beginning to put letters together.

Henry Burrell, is 15 years old; has worked at pugging-up for his father, who is a brickmaker, for four years; his work as a pigger-up was to carry clay from the pit to the stool; he was not working constantly but off and on; the working hours were ten, and there was no rest but for two hours at meal times—an hour for breakfast and another for dinner; never received wages as he always worked for his father who now paid another lad 25s. a week; £1 a week is what he would get if he were employed by any other brickmaker than his father; did not find it very hard work; and liked it well enough.

The Committee then left the school and proceeded to Mr. George Toyer's brickyard, on their way overtaking *Henry Cook*, who stated he is 9 years of age, and has worked as a pigger-up; he is known as

a watercress gatherer and likes it better ; gets the same wages as he did for pugging, 2s. a day ; was at the infants' school for a short time but cannot read and write ; knows his letters ; is not now at any school.

They then continued their journey to the brickyard, accompanied by Mr. James Cook.

Mr. George Toyer stated, his pit at which the boys are now working is about 10 feet deep ; below the present bottom there is about 5 feet of fireclay, as he supposes. The boys at work are his sons ; the two at the stool brickmaking are the elder—18, and the other 14 ; the boy bringing up the clay is 10 ; he fetches about five bricks at a time ; the weight of a wet brick is about 10 lbs. ; does not think it hurts boys to do the work, for where will you find a stronger class of men than brickmakers ; does not think he is a bad specimen, and he has been at it ever since he was 8 years old—in England and in this Colony ; but the great thing they wanted was education ; it came hard upon a poor man who had a lot of children, and he had a dozen of them, to pay for their schooling. He had to pay about 5s. a week for his ; liked to give them a spell and spell about when he had a chance ; wished he could get spell about himself, and not always be working and slaving ; was not likely to make a fortune at it ; did not believe himself and his whole family, and he had half a dozen of them working, earned more than £5 a week on the average ; knew he had only given his old woman £3 10s. a week to keep house since he had been there ; all the rest had gone into the ground. Were the boys too tired to learn after they had done their days work ? Well, it did not look much like it to see them playing and skylarking about after the day's work was over. Three of theirs went to day and three to night school, though it was not much they learned at night because the teacher was pretty well tired as well as the children ; they went from half-past 7 to 9 four nights a week ; the youngest boy there at pugging has been at work for about three years ; that other one, the next, is the worst of the lot for learning—the very name of school is enough for him ; not one in his family but what could read and write ; they were certainly not much of scholars, but they had all had some schooling. In his opinion there ought to be two different classes of schools—one for people that could pay high prices, and one for the poorer people ; if one man with two or three thousand a year sent his boy to school, and another like him sent his, his would be shoved into a corner, and the rich man's boy would be better taught ; it was just the same in religion ; when he was in the country the Minister would go to the master's place where he would get a good dinner, and if any one was sick there he would go and pray there three times a week ; but if he was sick he would hardly ever see him, except it was to get out of a thunder shower. At the day-school they had now to pay 9d. for one, 15d. for two, 18d. for three, and 1s. 9d. a week for four. One of his boys was sent back from school for going there, without shoes, and children prefer to go barefoot if they can, though their mother liked to see them respectable ; had often tried to persuade his boys off brickmaking but they did not seem to care for anything else. (Here the elder boy said, "I would not care to be at anything of indoor work.") The children are generally healthy, except there is any fever about ; they never knew what sickness was before they came to Sydney ; was at Dungog before. Could any other means be provided of bringing up clay from the pit than by boys ? Of course there could ; if he were supplied with means he could do it like his neighbour, Harber, but not with a whip ; it would take a strong whip to take it from the pit to the stool ; would have to pay about 10s. or 12s. a week for a boy about 10 years of age ; but it was not so much the age as the work they would do ; there was his son here—by jingo he was worth more than a good many men. Does not think brickmakers on an average earn more than £2 a week ; boys earn more in proportion than men. Is it healthy ? Well, he believed it was ; sometime ago he had a little fellow, an orphan, with him and he seemed dwindling away, he had almost to carry him to his work at first, but after a little time he got quite strong, and would go dancing up and down the plank. Does not think they average more than a thousand bricks a day at a stool ; that is his three boys—two working at the stool and one at pugging-up.

The Committee next visited Mr. Harber's yard, where the clay was drawn from the pit to a mill by machinery. Mr. Harber stated that he employed ordinarily about seven persons, two of which were boys of the ages respectively of 12 and 13 or 14.

Thomas Cook stated he is 14 years of age and receives 12s. a week for attending the machine, taking the clay from it and putting it on the stool for the brickmaker ; he has been at work for about four months ; at first he worked at pugging-up at the top pit ; when he was pugging-up was too tired when he got home to care to read ; goes to St. Peter's Sunday-school and can read and write ; reads books and writes in copy-books at home at night ; likes his present work and is not very tired at night ; gets books from St. Peter's Sunday-school Library ; is brother to the boy who carries watercresses.

Mr. Frederick John Goodsell examined :—

167. *Chairman.*] What profession are you ? A brick merchant.
 168. You are a wholesale manufacturer of bricks ? I make a few.
 169. Do you employ many young persons in your yard ? I am sorry to say they are nearly all young ; I wish they were older—perhaps you mean boys ?
 170. Persons under 15 ? I do not suppose there are many in the machine. I think there are three.
 171. Have you a brick-making machine ? Yes.
 172. You employ only three persons ? Three boys under that age.
 173. How many hours a day do those boys work ? From 6 to 6.
 174. What is the nature of their employment ? I can hardly tell you ; just the lifting the brick from the table on to the bar ; the other stands and clears the mould.
 175. They are not employed as puggers-up—that work is done by the machine ? Yes.
 176. You are aware that in brickyards boys are employed as puggers-up, to carry large masses of clay ? Yes, the master lets the work to men, and they employ what boys they want.
 177. The work that is done in other yards by boys is done in yours by machinery ? Yes ; I have some men who work by hand, but the masters have nothing to do with the boys ; they belong to the men who make the bricks. The men get so much a thousand for the bricks they make, and of course they have their own boys.
 178. Is that particular part of the operation of brickmaking less expensive in the manner you carry it out than it would be if you employed boys to do it ? I do not think there is much difference looking at everything. It might be cheaper if you dared to say anything, but we are obliged to put up with whatever may come ; we dare not say anything, or the men might say "Do it yourself."

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179. *Mr. Farnell.*] You say you employ some persons to make bricks by hand? Yes, I have some men who work by hand as well as by machinery.
180. How many men have you employed in that way working by hand? I dare say altogether ten or a dozen.
181. Could you inform us how many boys they employ? They have one each stool.
182. What are about the ages of these boys? In that department some perhaps 12, 14, or 16 years of age; where there is a family together there might be some younger to help the others. I speak as regards the men who have their own families working with them.
183. In your experience have you ever noticed that this pugging-up as it is called has any effect on the physical condition of the children? That depends on how they are worked, whether they are trained to it. If they go and work of their own accord I do not think it hurts them at all; in fact, I am satisfied it does not unless they are put to work younger than they ought to be. But I do not think there is anything to compel them; boys can do pretty well as they like now. These boys are 12, 14, 16, or perhaps 17 years of age, and earn from 12s. to 25s. a week. As regards hurting them, I could produce as fine men as you could see in New South Wales who are brickmakers, and who have been puggers-up. The younger they take to it the better brickmakers they are, and the easier they go through their work.
184. Do you know whether they go to school at all? Some of them do not; in short, I believe there are some who would not if they were at liberty.
185. I understand by the establishment of machinery you do away with the necessity for the employment of boys as puggers-up? There is none of that with us; in fact ours is only play to pugging-up; indeed there is hardly enough work for ours to do, and I wish there was a little more sometimes to keep them out of mischief.
186. *Mr. Stuart.*] Have you had very long experience in brickmaking? Yes, I have had thirty years of it in New South Wales.
187. Are you a practical brickmaker yourself? I never made many myself. I have made very few.
188. Were you in the trade before you came to this country? No.
189. Some of these children who are employed in this trade are of a very tender age? Well, I don't know, there are not many very young, unless, as I say, it is a family that work all together. Perhaps they go out sometimes to work for others.
190. What is about the age at which they are generally sent out—at 10? They would not be much use unless they were 10 or 12 years of age. You see they pug nearly all the men make in the day—perhaps 10, 12, or 1,400 bricks a day.
191. What weight of clay do they carry up at a time? That depends—they carry up what they can; they are not bound to carry any particular weight.
192. Still they must carry up in the course of the day sufficient to make 1,200 or 1,500 bricks? He is expected to do it if he is paid for it.
193. What I want to arrive at is, if a man employs a lad 12 or 14 years of age, and that man is an average workman, he will make about 1,500 bricks a day? He will not do that taking one day with another.
194. Will he make about 1,200? Yes.
195. Then would he not expect the boy to carry the clay to make that 1,200? Yes. Still if he could not do it he would lend him a hand.
196. Would he not drive the boy up? No, they will not be driven. I do not think many would ask a boy like that to do more than he was able. I think there is a yard or two which may be exceptions, where the work is very heavy, and where the boys are bound to do so much, but in my yard and in others it is not the case.
197. Still you think a boy of 12 or 14 years of age would be expected to carry this clay? Whatever the man moulded, whether 1,000, 1,200, or 1,400—there are not many who go over that. Some may; but then the fastest workmen would have the biggest boys, because the more they do the more is it to their advantage.
198. It adjusts itself in that way? Yes.
199. What is the weight of a thousand bricks in wet clay? I should say it is close upon 4 tons.
200. About 9 lbs. a brick? I dare say it is when wet; mine are 9 lbs. when they are made.
201. You are speaking of your pressed bricks? Yes.
202. Are machine-made bricks increasing in consumption? Yes.
203. Do you think they are likely to drive out hand-made bricks? I think it is very likely to do so, or, if not, to lessen the consumption of them.
204. They are more solid? Yes, there are 2 lbs. more weight in the brick, which is not bigger than that made by hand.
205. Do you know anything of the state of education among these boys? I think there are very few who are educated. There may be here and there one perhaps, but as a class neither parents nor children seem to care about it.
206. If they do not obtain it before they go to this employment they have very little opportunity afterwards? No, unless they go to a night school or a Sunday-school; but they will not do that.
207. After a hard day's work there is not much inducement for a child to put forth his energies to go to school? After they get used to it it is easy enough.
208. Have you known any that do go to a night school? No, I do not know any.
209. Could any adaptation of machinery, such as a winding machine or anything of that sort, relieve to some extent the boys from the labour in the open clay-pits? No, because the clay is often so very thin that we are obliged to be constantly moving.
210. What is the general depth you have to bring the clay up? With the exception of one pit I do not know any above 7 feet deep.
211. Could it not be worked with a horse and gin? Yes, or it might be worked with a windmill, but then it would work only when the wind blew.
212. Are there many boys unemployed in the district? There are many running about doing nothing.
213. My reason for asking is this, if the Government were to order that all boys under 14 were to attend school for so many hours a day, say for half a day, would there be any difficulty in supplying the place

place of those boys who are now employed in this occupation? There are a good many running about, but the 'buses have taken up a great many of them. If the boys were taken away of course the men must pug-up themselves.

214. That would add materially to the expense? Yes.

215. Is there sufficient labour available in the district to supply the places of the boys who are now employed in this way, if they were required to attend school half-time? I do not think at the present time there is.

216. *Mr. Fitzpatrick.*] You say these boys are employed from 6 to 6—with what intervals for their meals? An hour for each meal—from 8 till 9 in the morning, and from 1 till 2.

217. What do you think is the average wage a boy gets for this pugging? That depends upon what he can do.

218. For this particular work called pugging? Some could do more than others.

219. What do you consider the average wage for a boy? I said from 12s. to 27s. a week—about 18s. a week.

220. At what rate do you think you could get the lowest class of unskilled labour—grown-up men? I would rather give a boy of 12 or 14 years old the same wages; in fact, I would give him more than a man who would ask 6s. a day.

221. At what rate could you get unskilled labour to employ in this work? I do not know. I know what I am giving my men—from 8s. to 10s. a day.

222. That would be for skilled labour;—what wages would you pay for ordinary unskilled labour? I could not tell; it would depend upon what the man thought of himself. It is not what we think he is but what he thinks he is himself. There are some men who are getting 7s. and 8s. a day who are not worth so much as others who are getting 6s.

223. *Chairman.*] To whom as a rule is the wages paid that are earned by the children? To the parents.

224. *Mr. Stuart.*] Do the parents draw it? No, the man always pays his boy every Saturday night.

225. Do they as a general rule hand it over to their parents? Of course I could not answer for them all; no doubt some young scamps crib their wages if they can, but I think I could answer for those who work in my yard that they do hand over their wages to their parents.

226. Can you inform the Committee what is the number of lads in your district, including Marrickville and its neighbourhood, employed in connection with brickyards? _____

THURSDAY, 10 FEBRUARY, 1876.

Present:—

MR. CAMERON,
MR. H. C. DANGAR,

MR. FARNELL,
MR. FITZPATRICK.

WILLIAM H. SUTTON, JUNR., ESQ., IN THE CHAIR.

Mr. Douglas Dixon examined:—

227. *Chairman.*] Are you connected with the firm of Messrs. Cameron, Dunn, & Co.? I am.

228. They are tobacco manufacturers? Yes.

229. In what part of Sydney is their manufactory? At the corner of Pitt and Liverpool streets.

230. Are there many persons employed there? At present we have very few; since the change of the tobacco duty we have stopped working altogether.

231. Had you many persons employed there previously? We have had upwards of 300 sometimes.

232. Are many of these under 14 years of age? It is very difficult for me to say; I should not think we have many under 14. There are two or three in the place between 10 and 12, but as a rule they are over 12 years of age. There may be about twenty or thirty between 12 and 14.

233. Are they of each sex? Yes.

234. What is the nature of the employment of these young persons? It is very light, such as sorting tobacco and tying up four or five ounces in bundles with strings; sometimes in taking the stems or ribs out of the tobacco. All the boys have light work, and the young girls are mostly engaged in sorting the tobacco from the hogshead, or in covering the lumps, which is merely wrapping a leaf of tobacco round the figs when they are made.

235. How many hours a day are they employed? In summer-time they come in at 6 and go out at 8 in the morning; return at 9 and go out at 1; come back at 2 and leave at 6. In winter-time they come in at 8 and go out at 7, with one intermission of an hour.

236. What is the age of the youngest employed by you? I do not think we have had more than two under the age of 12. I have asked our manager and he says we have had a couple between 10 and 12. I have never asked their ages of themselves.

237. Do you know whether they are educated at all? No, I cannot say anything about that.

238. You do not know whether any of them attend school after working hours? No, as a rule we have not been particular as to character, but have taken anybody that has come without inquiry as to character.

239. What wages do they earn? Boys 8s. and 9s. a week. The smallest from 6s. to 9s. They start at 6s.

240. To whom is the wage paid? They get it themselves; we pay them every Saturday morning.

241. Do you know at all how the parents of these children are employed? No.

242. Do you think the occupation has at all an injurious effect upon their health? I do not.

243. *Mr. Farnell.*] Do you know at all what occupations these young persons who have been brought up in tobacco manufactories follow in after life? No, I do not, I know nothing about the manufacture of tobacco, and

Mr.
F. J. Goodsell.
1 Feb., 1876.

Mr.
D. Dixon.
10 Feb., 1876.

Mr.
D. Dixon.
10 Feb., 1876.

I never had anything to do with it until about two years ago, though I have been interested in it as a partner for a longer time, but our factory was in Virginia, and I never had occasion to stay there. I have to rely upon my partners for any information I possess, and I have always understood from them that the negroes employed in the manufactory in Virginia were always healthy. I have heard my partner who is here now say that those who are employed in manufacturing tobacco are noted for their freedom from infectious diseases, and that when they go to other employments they frequently take ill—that they do not find other occupations so healthy.

244. Are these young persons taught the whole art of tobacco manufacturing? No, each one has a separate department; they are not allowed to learn more than one thing, excepting, of course, the managers.

245. Then, as I understand, in a tobacco manufactory each one has to do a particular part? Yes, and it has been one of our objects to keep each one to his own part, so that each should know nothing about the other part.

246. I understood you to say that prior to the contemplated alteration in the tariff in reference to tobacco you had employed as many as 300 persons? We have had upwards of 300.

247. That is boys? Boys, girls, and men.

248. Did I understand you to say that you had closed your factory at present? Yes; we worked what stock we had duty paid at the time of the change, and then stopped.

249. Do the boys and girls work in the same room? No, some of the small boys work in the same room with the girls, but as a rule they are all kept separate.

250. The work is not laborious? By no means. They can take their own time about it. We pay nearly all the girls by piecework, so much a pound, and they can do as much or as little as they like.

251. When the boys and girls in the factory attain the age of manhood, or of womanhood, do they get a larger amount of wages? We have been such a short time here that none of our boys have grown up to manhood.

252. Is it not a kind of labour particularly adapted to children? Yes. I dare say we would not pay them a higher rate of wages, though they would be able to earn a larger amount by the greater facility they would have required.

253. *Mr. Dangar.*] What is the average number of people you employ in your factory? It has been fluctuating—I dare say we have had nearly 400 working at a time; but in 1875 I do not think the average would be above 150. We cannot however tell exactly the number from our books for we have seventy or eighty twistors, men who are paid so much a pound for what they make, and they employ and pay boys to help them, and these boys would not appear on our books.

254. I understand you to say that you have comparatively very few young children;—is it not the case that you have a great number about 15 or 16 years of age? I should think that is about the average age.

255. And these youths work in the same room with the girls? No, as a rule they do not; only quite little boys.

256. You say you have very few little boys? I am speaking from what I think, not from any special knowledge of their ages, but I should say there are very few boys over 13 or 14 years of age ever put in with the girls.

257. Do you invariably pay the wages to the young people themselves? Yes.

258. Are you ever asked by the parents to abstain from paying the wages to the children and to give them to their parents? I have never heard of such a case, but I have nothing to do with the department, the manager attends to that. I sign the cheques for wages and never ask a question.

259. You said just now that in your opinion the nature of the occupation was not prejudicial to health; is it the fact that there are very often indications of sickness resulting from the imbibing of nicotine in the factory? I have never heard so.

260. The place is by no means well adapted for a manufactory; the floor is very low in the room where they work, is it not? The flooring of one room is low, but we do not put so many persons in that room now as formerly.

261. As a matter of fact you do not lose the services of the people you employ in consequence of ill health? No.

262. Have you any reason to believe that employment in tobacco manufacture induces precocious smoking on the part of these children? I do not know.

263. Do you ever give them any tobacco? They get as much as they want for their own use. They come and ask frequently for it.

264. *Mr. Cameron.*] These boys are not employed by you but by the tobacco twistors, I believe? A good many are employed by the twistors.

265. The majority? I dare say when we are working full time the majority of the boys are employed by the twistors.

266. As a rule each tobacco twister employs a boy to work with him? Yes.

267. How many of these boys would you think are under 15 years of age in your establishment when you are in full operation? It is very difficult to answer that question.

268. Can you not give me a proximate idea? I have asked our manager and he says he does not remember having had more than two boys between the ages of 10 and 12, but as I am not in the factory our manager would be able to tell you more than I can.

269. How many hours a day do the men and boys who are employed by you work? They are supposed to work ten hours a day, but a good many work only half a day. They come in at all times. We have a sort of rule that if they come in after time they are to be docked, but it is not often carried out. Many work only four days a week, and in looking over the books I find that many work only half days. They are paid by the lb. or by the number of figs they make.

270. As a rule ten hours a day is the accepted day's labour? Yes.

271. And as a rule boys are employed with boys? Yes.

272. Could you give the Committee any idea of the educational qualifications of the boys as a class? I cannot.

273. Do you find them generally well behaved? They make a great row when they go out into the street.

274. In the factory you have not to complain of their precocity? I never hear any complaints, but I never interfere between the manager and his men.

275. You alluded in answer to a question by Mr. Dangar to one room that you considered to be insufficiently ventilated;—how many persons had you in that room? When we were in full working we had 120.

276. Can you give the Committee any idea of the dimensions of that room? No; it occupied almost the whole of the first floor of the factory.

277. *Mr. Dangar.*] As a matter of fact the floors are all very low, are they not? Yes; but we have well ventilated the building by putting windows at the back end and otherwise; we have also reduced the number working there.

278. *Mr. Cameron.*] As a matter of fact do not these boys chew tobacco even if they do not smoke? They do not as I should have supposed they would.

279. Are not tobacco twisters as a rule accustomed to chew tobacco? I cannot say, I really know very little about the management of the department, as I am not brought into contact with the men.

280. *Mr. Dangar.*] I understand you to say that they work until 6 in the summer? Yes.

281. There are special circumstances I suppose when they are kept later than 6? Occasionally when they have to finish up work that might deteriorate if it were left unfinished, but that is a rare exception, and it is generally their own fault, and even then as a rule the boys are not kept.

282. As a rule they are dismissed at 6? Yes, and the boys a little before.

283. *Chairman.*] The place is closed against them at 6? Yes.

284. How many boys does each twister employ? They do not all employ one, but most of them employ one.

285. In what position do these boys work? They carry tobacco to the twisters, sort the leaves, and spread them out.

286. Do you know whether the boys sit at the twister's feet, under the table, or on the ground? I do not think so.

287. *Mr. Cameron.*] As a rule they are on their feet? Yes.

288. *Chairman.*] Are there any boys in the factory employed in the position I have stated? I have never seen them in that position; there is no necessity for it—it must be from choice if they do.

289. Your establishment is not at present in working order? No.

Mr.
D. Dixon.
10 Feb., 1876

Mr. Arthur Hunt examined:—

290. *Chairman.*] Are you connected with a tobacco manufactory? I am managing partner of A. W. Sutton & Co.

291. Where is your factory? Nos. 103 and 105 Harrington-street, Sydney.

292. Have you been long acquainted with the manufacture of tobacco? Ten years.

293. Is your factory in Sydney in full working order? Not at the present time—about two-thirds.

294. How many persons do you employ when it is in full work? From 90 to 100.

295. Are they mostly young persons? The majority of them.

296. About what ages? The greater portion of them from 18 to 22; some much younger.

297. What are the youngest? I have here a list of some fifteen or sixteen whom I examined this morning. This states the ages and the wages they receive. There are sixteen from 12 to 16 years of age. (*The witness handed in the list. Vide Appendix A.*)

298. Do you employ both boys and girls? All boys. I object to the employment of girls.

299. Do your twisters also employ boys? Some of these are employed by the twisters. The three boys of 12 are employed by twisters. We do not allow them to employ any younger than that age.

300. Independently of these how many do you employ; that is on your own staff? There are six on the list who are not on our staff—the remaining ten are.

301. This is a list of all the young persons employed by you? Yes, up to the age of 16; there are a number of others of 17, 18, and 19 years of age.

302. This includes all, whether employed by twisters or not? Yes.

303. Do you know anything of the educational qualifications of these young people? All of these can read and write. I was rather astonished that they could, and put them to the test, and found that they could.

304. How many hours do they work? Ten hours—from 6 to 6.

305. Is the factory actually closed at 6? As far as the piece-work men are concerned it is. In the below-stairs room the men are sometimes half-an-hour later.

306. *Mr. Cameron.*] Does that affect the young boys? Not more than two or three.

307. *Chairman.*] How many persons have you had employed in any one room in the factory? It is a double room, 70 feet long by 40 feet wide, divided by a partition, splendidly ventilated. In these two rooms there are about 40 at the present time.

308. In what position do these lads work for the twisters? Sitting.

309. Where do they sit? Sometimes on the table, sometimes on the floor.

310. Do they work in any position they please? I think so; they very often shift their position at any rate.

311. Do they work on the floor under the table? Some of them.

312. Is it more convenient for them to work there? Yes; they choose the most convenient place for themselves. I may state that I have often refused to allow young children to be employed in the factory. They have often been brought by their parents, the twisters, to strip for them, and I have not allowed it.

313. What wages do they earn? You will see from the paper I have handed in; from about 8s. 6d. to £1 a week.

314. Have you any knowledge of the parents of the young persons employed in the factory? Very few of them.

315. You do not know whether any of them are wholly dependent upon their children's work or not? No, I do not.

316.

Mr. A. Hunt.
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- Mr. A. Hunt. 316. *Mr. Farnell.*] Does the manufacture of tobacco affect their health as children? I have never known it to affect their health injuriously, excepting where they have been chewing. Some will do that when they begin; but they do not often continue it long.
- 10 Feb., 1876. 317. *Mr. Cameron.*] Do they not take to it generally? Yes, but they get a pretty good sickening.
318. *Mr. Dangar.*] Do you find the same youngsters coming time after time, or are you obliged to change frequently? No, I think I have known the whole of these boys since they came to the work, not all in our present establishment, but in it or others. I was seven years manager for Mr. Penfold.
319. Are they able to keep pretty constantly at work? Yes, they begin at stripping, and then go on to strand making, and from that they become twistors or plug makers.
320. From your experience are you able to say that the occupation is not prejudicial to health? I do not think it is; I have never found it so. The boys are seldom or ever away suffering from ill-health.
321. Do you think it induces habits of smoking, other than would arise among young Australians, who are almost all smokers? I cannot say. I think two-thirds of them smoke; quite two-thirds.
322. Do you give them tobacco? Not the little boys; boys about 18 receive so much tobacco a week in addition to their wages. Two figs a week for a man and one for a boy.
323. *Mr. Cameron.*] Do you find these boys as a class obedient and well behaved? When in the factory they are obliged to be.
324. From your experience of them out of the factory? I have never had any trouble with them. If I have had any complaints against them I have told them quietly, and reasoned with them, and they have received what I have said very well.
325. Have you found them pretty precocious as a class? Like most other Colonial boys.
326. Most of them chew tobacco as well as smoke do they not? Not most of them—some do.
327. I have often heard it stated as a fact that boys following this occupation as a rule chew;—is that so? I could not say as a rule; I have known many thoroughly sickened at first. I knew one who was compelled to swallow what was in his mouth, and he has never chewed since.
328. Was he compelled to swallow it by his employer? He was taken hold of and accused of chewing; he would not acknowledge it, and rather than be discovered he swallowed the piece he had in his mouth.
329. *Mr. Fitzpatrick.*] You have said you do not employ girls;—is that on the score of economy or of morality? Of morality; it would be to our advantage as a matter of economy to employ them.
330. Are they as good workers as boys? Yes, and quicker at what we call sorting leaf.
331. The boys all read and write you say? Yes.
332. Have you any means of knowing where they acquired those branches of education? Yes, I questioned the whole sixteen mentioned in the list. Some were educated at Fort-street School, some at St. Phillips', St. Francis', the Sacred Heart, and other schools. Many of them are attending night schools at the present time; I urge them all to go, and as far as I can I urge the parents to send them to night-school.
333. Do you feel it to be any part of your duty to distinguish in any way those boys who go to night-schools? If I know a boy to be attending a night-school, and doing what he can to advance his position, I feel it to be my duty to help him in preference to a boy who does not do so.
334. *Mr. Cameron.*] Do they employ girls in places where they make cigars? I think so.
335. You do not make cigars? No.
336. *Chairman.*] The work is not very laborious? Not at all.
337. And young persons after leaving off that work are not too tired to attend night-school? No.
338. *Mr. Farnell.*] Have you had experience of tobacco manufactories in the mother country? No.
339. In other places than this Colony? No, only theoretical, not practical.
340. *Mr. Fitzpatrick.*] You think constant employment among tobacco is not unhealthy—only the excessive use of it? It has never acted injuriously towards myself.
341. *Mr. Farnell.*] Have you any aged men employed in your factory? Men of 60 years of age.
342. Have they been employed in tobacco factories from their youth up? Some of them. I have known some of them to be at it for fourteen years from my own experience; and I know many men in the trade who have been at work at it for fifty years, since they were mere children—men who commenced to work at the trade in Scotland and Ireland.
343. *Mr. Fitzpatrick.*] Did they smoke or chew? Both.
344. *Chairman.*] You say you do not employ girls on the score of morality—has it come to your knowledge that the employment of girls in these factories is conducive to immorality? I have good reason to believe so.
345. Immorality of course could not be practised in the factory itself? Not in the factory itself, but both sexes are allowed to go out together at the same time, and to associate at meal times. If they could be kept quite apart I do not know that it would be conducive to immorality.
346. Are there any tobacco-manufactories in Sydney where they employ girls? I believe so.
347. Does Dixon employ any? I believe he does in cigar making.
348. *Mr. Fitzpatrick.*] Have you discharged a number of your hands lately? Yes.
349. About what proportion? About a third; they were all discharged for a time.
350. *Mr. Farnell.*] For any particular reason? On account of the increased duties on tobacco. We do not know what to do; a number of work people, able-bodied good workmen, are walking about every day applying for employment without being able to obtain it.
351. *Mr. Fitzpatrick.*] What would be the best average wages these men would earn? 50s. a week for the best men, but £2 is the average.
352. For a day of ten hours? Yes.
353. Do you work six full days? No, hardly five days and a half.
354. If you pay by the day do you give full wages for six days? Yes.
355. *Mr. Cameron.*] Do they work at all during meal hours to make that up? No.
356. *Mr. Dangar.*] Nearly all the work is piece-work, is it not? Some thirty hands are employed at the factory at weekly wages.
357. Do you pay the wages of the youngest you employ to themselves or to their parents? To the boys; their parents come occasionally to see what they have earned, and the books are produced and shown that they may see what has been paid.
358. It is hardly part of your business to ascertain in what way the youngsters dispose of their wages? No, but I think they generally go to the parents; we have occasional complaints that the full amount has not

not been paid in, but the boys know that if it is discovered they are punished. I think the majority pay the money to their parents as they receive it. Of course the parents make them some allowance for pocket money. Mr. A. Hunt.
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359. *Chairman.*] What control have the twisters over the boys they employ;—how do they keep them at work? There is a sort of a double control over the boys; they are compelled to obey their masters and also to obey the foreman of the room, and are not allowed to infringe any rules of the factory.

360. *Mr. Cameron.*] I suppose as the twisters work by piecework and pay their boys, if the boys do not suit them they have the power to discharge them? Yes.

361. *Mr. Fitzpatrick.*] Is there any union among tobacco twisters? I think so; there was some time ago.

362. *Mr. Dangar.*] Is the rate of wages paid to the different workers a uniform rate in Sydney? Yes, at the present time. No, I think there is one factory which pays a little more than the others.

363. That would indicate that there was not a union? I think there is a union; there was I know a little while ago. I have the secretary in my employ.

364. Have you ever felt any evil effect from the employment of union men? I have had great fault to find with the union. At one time there was a very absurd ridiculous interference on their part; I endeavoured to point out the folly of it, and they desisted after it had been pointed out to them.

365. *Chairman.*] Were they young persons who discussed these questions? I think not.

TUESDAY, 22 FEBRUARY, 1876.

Present:—

MR. FARNELL,

MR. W. H. SUTTON,

MR. W. WATSON.

The Committee having assembled in the Committee-room proceeded to the Tobacco Manufactory of Messrs. Cameron, Dunn, and Co., where they were met by Mr. Dixon, a member of the firm, who, after having stated that the factory was not then in full work, conducted them over the establishment.

The rooms throughout the building are low, from 7 ft. 6 to 8 ft. from floor to floor. In the first room, about 30 x 30, were sixteen or eighteen girls and women, and ten boys, the latter varying in age from 10 to 15.

Percy Blessington stated he is going on for 11; his father is dead; cannot read or write; gets 7s. or 8s. a week; takes the money he earns to his mother, who is a dressmaker. His work is stringing the tobacco.

Thomas Allman is 9 years old; has been at work three weeks; it does not make him sick.

Maggie Funston is 12 years old; has been at work about six months; works from 6 to 6; can read and write; does not go to school in the evening; the work does not make her sick.

Eva Willis on being asked her age said she was 15, but afterwards stated she was 12; did not know why she gave the wrong age at first; has been working at the factory about two weeks; one day when she was working up stairs she took fits; that was the reason she came down. [The top story of the building is devoted to the first preparation of the tobacco for manufacturing by sorting, steeping, stripping, and drying.] She is not sick now; does not go to school, and cannot read and write; is paid according to what she can earn; the first week she earned 5s., the second 5s. 2d., and last week 3s. 6d.

The Committee then visited the twisters' room, about 50 x 30, and the same height as the room they had just left; here there were but two or three men and boys employed, although when in full work there was accommodation for about eighty. The room was well ventilated and lighted.

The Committee next proceeded to the manufactory of Messrs. Dixon and Sons, and were received by two of those gentlemen, who conducted them over their establishment.

In the twisters' room, about 20 x 45 ft., and 11 ft. 6 inches high, were about thirty-two men and boys. At the request of the Chairman all boys under 14 years of age were asked to come forward, when eleven presented themselves. Of these only five could read and write, and six attended night-schools.

George Gibson stated:—He is 11 years of age; cannot read, but goes to a night-school now; his father is dead; his mother keeps a shop; and he has a brother who works in the factory; has been employed at this work a year and eight months; and earns 8s. a week.

Frederick Fry is going on for 13, and has been at work nearly two years; can read, and go through the Second Book easy; can write too.

In an adjoining room, much smaller, two boys and four men were employed also in twisting.

The Committee from Messrs. Dixon's went to Messrs. A. W. Sutton & Co.'s, and were by Mr. Arthur Hunt shown over the factory.

The twisters' rooms, which consist of two, are divided from each other by a partition which leaves an opening of 18 inches or 2 feet between it and the ceiling. One of these compartments was unoccupied; in the other were about twenty-four men and boys. The rooms were of equal size—12 x 45, and between 11 and 12 ft. from floor to floor. Beneath some of the twisters' tables, about 3 ft. 6 in. high, were seated boys at work.

William Lee stated: He is 18 years of age, and has been employed in a tobacco factory eight or nine years; has been to school, and can read and write; the boy sitting on the floor beneath the table works for him; he is the boy's uncle.

Charles Lee is 12 years old, and the nephew of the man just examined; cannot read; and does not go to school, but wants to do so; works from 6 to 6; is not very tired when he goes home at night; father and mother both alive; earns 8s. 6d. a week, which his uncle pays him, and he gives to his father; father works in an oyster-shop; always sits under the table to work; is obliged to work there.

Edward O'Keefe is 10 years old; has been working only a week; earns 10s. a week; spreads out the leaf for the twister to use; has been to school, but cannot read and write; is going to school next week; gives the money he earns to his mother; father is not alive; mother does washing; has two big sisters and two little ones; one of his brothers works in the factory as a twister.

John

John O'Keefe is 15 years old, and has been employed in a tobacco factory four years and a half; earns from 12s. to 15s. a week; can read. (*On being tested by the Chairman read with difficulty.*) Likes the work pretty fairly; never gets sick; does not chew, but some of the boys do; sometimes he smokes.

Andrew Flynn is 15 years of age; has been at this work three years; has been to Fort-street school before he came here; there is no night-school about where he lives—Clarence-street; might attend one if there were a school there; does not mind the work; it does not make him sick; has not heard of boys going away because they could not stand it; makes from 12s. to 15s. a week; gives the money to his father and mother; father is a painter and sign-board writer, and earns about £3 a week; is paid by piece, so much a pound—2d. for every eighteen fgs.

THURSDAY, 24 FEBRUARY, 1876.

Present:—

MR. FARNELL, | MR. F. B. SUTTOR,
MR. W. WATSON.

WILLIAM H. SUTTOR, JUNR., ESQ., IN THE CHAIR.

William Madison Alderson, Esq., called in and examined:—

W. M.
Alderson,
Esq.

24 Feb., 1876.

366. *Chairman.*] What is your occupation? Leather manufacturer, and various other things.

367. Near Sydney? Yes, in the immediate neighbourhood of Sydney.

368. You employ a great many persons? Yes.

369. How many do you employ? I could not tell without referring to the books; I suppose about 400.

370. Are any of them young persons, under (say) 14 or 15 years of age? Yes.

371. Is there anything in the employment likely to affect their health? There is nothing that affects their health except for the better.

372. What is the nature of their employment? I have young girls working the sewing-machines in the boot-closing department of the factory; and boys are employed in making, that is, putting boots together. I make a practice of only having a certain number of boys compared with a number of men that we employ. Then we have apprentices that we bind for a term. Those I spoke of at first are young persons that we do not bind as apprentices. There are other departments also, such as curriers, saddle and harness makers, and so on. These are separate trades. You must understand that currying is quite separate from tanning. I wish to impress that on you because a great many of our legislators mix up tanning and currying as one trade. There is a great deal of ignorance with regard to trades among legislators.

373. You have young persons employed at all these different branches? Yes; the curriers and saddle and harness makers are all bound to their trades, and they serve seven years to them.

374. By whom are they apprenticed? By their parents or guardians.

375. Have you any from public institutions? No, I will not take them.

376. How many hours a day do they work? The men and boys come to work at 6 o'clock in the morning in summer, take an hour to their breakfast at 8 o'clock, an hour to their dinner, and work till 6 in the evening; in winter they work from light till dark, with the same dinner hour. We never have any lighting-up in our establishment at nights for fear of fire. I do not think the girls go to work till 9 o'clock in the morning.

377. Do you know the age of the youngest child you employ? One of our girls was brought up as a witness, and I was rather astonished at the age she gave; she said she was 12, I think, and I thought she was too young, but when I came to inquire about her from my son, it appeared that her mother was in very distressed circumstance, and she was depending upon this girl and others for a livelihood; but she is a very clever girl; she beats some of the oldest. I think she is about the youngest we have.

378. *Mr. Watson.*] Is there a minimum age at which you take them? No, we never tie ourselves.

379. *Chairman.*] Is any of the work performed by these young persons very laborious? No.

380. Can you give the Committee any information as to the state of education among them? I believe that every one of them can read and write. There were some young men connected with some of the religious establishments in town who asked of me the privilege of going amongst our boys and girls. These young men collect boys and girls together on a Sunday to teach them reading and writing,—that is, boys and girls employed at work during the week. I said, "Yes, you are quite welcome," and I was very much pleased to learn, when they came to make the inquiry, that all of them could both read and write.

381. Do you know whether any of them attend school during their off time—whether they go to any night-school? I do not know about what they do at nights, but as regards attending school during the day I would not take them if the day's work were broken into; I would not take them till they were of the proper age.

382. If the Legislature were to make an enactment prohibiting children from working more than half a day, or for a certain number of hours only, in order that they might attend school during the rest of the day, do you think you could employ them? I would not employ them on those conditions; we must have them the whole day; I would not take any but what had been educated if it was the law that they had to go to school to break the hours of labour.

383. Do you pay these young persons any wages? Yes, all of them, from the very commencement.

384. As a rule, what are their wages? I think we commence with the very youngest at about 4s. a week, and then they rise every year. It just depends upon what they are employed in; if they get very perfect they get promoted quicker.

385. What is the highest rate of wages earned by young girls? They never go beyond £1 a week unless they are put in a superior situation.

386. What are the highest wages earned by boys? It just depends how they come on. We do not bind them now to boot-making. Boot-making is carried on now with such a division of labour, and there are so many improvements by machinery, that a boy soon learns to put a boot together; and after it has been put together the finisher takes it and finishes it at once.

387. Do you know what these young people do with their wages—do they pay them over to their parents? I should suppose so.

388. To whom do you pay the wages? We pay them to the boys and girls themselves. We expect the fathers and mothers to look after their own children. We rarely employ any but our own men's children.

389. Then you have some knowledge of the parents? Yes; we will not take them without we know something of their parents.

390. *Mr. Watson.*] Do they all lodge out of the factory? Yes, apprentices and all.

391. *Chairman.*] Do you know whether many of the parents are dependent on the earnings of their children? No; I do not suppose there are any dependent entirely on the labour of their children—not that I know of at all events. I have heard of some parents being very foolish in allowing their girls nearly all their wages to find dress, while they keep them. I think that would have a great tendency to spoil them if it is true.

392. Can they earn more by working with you than by going to domestic service? No, I do not think they can. Even a girl at £1 week—the highest wages we give—would be much better off at service when you take board and lodging into account as well as wages; but then there is this consideration that they would be more tied—they would not get out in the evenings.

393. Do you think the liberty they have after working hours has a deteriorating effect on their moral character? I do not think it has a good effect, although I cannot say it has a bad effect on any of our girls, for we have been complimented very much about the girls in our establishment.

394. Of course if you found any of them verging on immoral courses you would not employ them? No.

395. Are the boys and girls kept separate while at work? The clickers are employed at one end of the factory and the girls at the other, and the foreman is always between them. It is only in the upper department where they are employed.

396. The young persons under 14? I think the majority are over 14. It is only in rare instances we take them younger; they are the exceptions.

397. *Mr. F. B. Suttor.*] You do not employ girls in all parts of your establishment? No, only on the one flat.

398. *Chairman.*] It is impossible, you think, for young people employed in your establishment to form connections likely to lead to immorality? I should think not; as far as we can guard against it we do.

399. They do not complain of their work affecting their health? No; parents are only too glad to get their boys and girls into the factory. I do not wish to depreciate any other factory, but we pride ourselves on having ours well conducted and ordered.

400. I suppose the old system of boot-making is pretty well done away with—young people are not employed at such sedentary labour? No; the girls sit to the sewing-machines, but we have arranged some of them to go by steam, and we are busy doing so with them all. That eases the girls' labour. A girl has only to sit and press a treadle, and just as she presses it it goes fast or slow; she in fact regulates it.

401. *Mr. F. B. Suttor.*] Did you ever find that the constant working of these machines had an injurious effect upon the health of the girls? I have heard people make the objection, but the operators do not; I never heard the operators complain.

402. *Chairman.*] Have any of the young people employed by you been obliged to give up in consequence of the nature of the work? No, not to my knowledge. That was not the reason why we set the sewing-machines to work by steam; but while I was in England I came across some factories that were introducing steam, and seeing how easy it was I have done the same here.

403. *Mr. Watson.*] Are the working hours you have mentioned never exceeded? No, the men and boys work ten hours—twelve hours with two hours off for meals. The girls work from 9 o'clock in the morning till 6 in the evening.

404. *Mr. F. B. Suttor.*] The rate of wages you have mentioned does not apply to apprentices? No, they are on different terms; each grade has a different arrangement.

405. *Mr. Watson.*] Did I understand you to say you would not take children who could not read and write? No; I said that if the law was that the children had to be sent to school half the day I would not take any children until they could stay the whole day. Then they would come to me older. I am very much opposed to employing children too young; and we never do it unless some special pressure is brought to bear upon us, as I mentioned before. We never take any apprentices to be bound till they are 14.

406. *Mr. F. B. Suttor.*] Do you employ young girls at the sewing-machines? Yes.

407. Of what age? I think the youngest I know of is 12 years of age. Some of the young girls are the cleverest. There is a great difference in the abilities of girls and of boys too. I have been very much astonished to see the aptness of young children picking up this light work, such as attending the sewing-machine; they are very quick at it. Sometimes I have said to the foreman, "Don't you think that little girl is too young and too small?" and he will tell me she is one of the cleverest little girls in the place.

408. Do the boys who are bound receive wages? Yes, they commence with a small wage; although when I went to serve my time as a currier in England I did not get a farthing for two years. We are more liberal now-a-days.

409. Do you find there is a sufficient supply to meet the demand for labour of that kind? Yes, we can get as much as we want and more than we want. In fact, we are pestered our lives out to take both boys and girls. It would be a grand thing for the country if there were more manufacturing than there is and a much larger population.

410. You said you would not receive any children from public institutions? No, we could not do that, because if we did we should have to board them and take care of them.

411. That is the only objection? Yes, that is my only objection.

412. *Chairman.*] You do not care to have the responsibility? No. In fact, I would not take an apprentice to board from any respectable father and mother. I have been asked to do it by people from the country, but have always declined. I do not think there is much of that in this country.

W. M.
Alderson,
Esq.

24 Feb., 1876.

THURSDAY, 2 MARCH, 1876.

Present:—

MR. CAMERON,
MR. H. C. DANGAR,MR. FARNELL,
MR. W. WATSON.

WILLIAM H. SUTTOR, JUNR., ESQ., IN THE CHAIR.

James Emanuel Woolward, Esq., examined:—

J. E.
Woodward,
Esq.
2 Mar., 1876.

413. *Chairman.*] You are managing partner of the firm of Messrs. David Jones & Co.? I am.
414. What business do they carry on in Sydney? Drapers.
415. Are they also makers of clothing? Yes, tailors and drapers.
416. Are many persons employed in that occupation? We have a good number employed, but not in the house.
417. Are any young persons employed by you? No, not any.
418. None under 14 years of age? No.
419. Are none under that age employed by you in any way? Throughout the various departments we have none under 14.
420. *Mr. Watson.*] Can you speak as to work done off your premises? Well, scarcely.
421. Your observation applies only to work done on the premises? We have no female work employed upon clothing—that is tailoring—at all; all our work is done by men. We have a large amount of female labour employed, but in a different way.
422. *Chairman.*] But not youthful labour? Yes, girls are employed in millinery, dressmaking, and work of a similar kind.
423. *Mr. Watson.*] Under 14? None under 14. I have never followed the work that is given out to the homes of the people who are employed in performing it.
424. Is not the work sometimes done by families? Yes, by the persons themselves and their children and by others who are employed by them. This is done chiefly at Newtown, the Glebe, and other suburbs.
425. *Chairman.*] Have you any personal knowledge of the people who are thus employed? Of several of them; we know them to be very worthy people, but I could not speak of the ages of those who are employed by them.
426. Or of their intellectual condition? Yes, we have opportunity of judging of some of them, and find them to be fairly educated. In some cases we have to give them instructions as to their work, and these are often taken down in writing, and frequently the writing is very good.
427. You speak now of the parents? No, the parents do not ordinarily come in, as they could not spare the time, and their presence is required in the work-room. A daughter, or some one employed by these workers, is usually sent.
428. Do you know whether any of the other firms in Sydney who carry on similar business employ young persons on their premises? Yes, in a similar way; in fact some of them, having larger accommodation, employ more on their own premises, and fewer off.
429. You do not actually employ, under your own supervision, persons under this age? Not under 14.
430. *Mr. Dangar.*] With reference to the employment of those who manufacture slop goods, of which I know you do not manufacture much, have you had any experience, or can you give the Committee any information as to the wages earned? I know high wages are paid; girls can earn from 18s. to 25s. a week—that is experienced hands, and not, of course, children of 14 or 15 years of age.
431. We have had some information as to what I should consider extremely low wages received by people who are employed in making button-holes for slop-manufacturers, and for which they are paid so much per dozen. Can you give the Committee any information respecting the wages paid to these people who make common slop goods? No, I cannot; our work is all done by men.
432. You have no wholesale business? Not demanding common work.
433. You do as a rule pay higher wages than common? We pay the highest price no doubt. I think upon this point the information I could give the Committee would be of no use; we employ female labour only in the making of millinery, mantles, costumes, dresses, and ladies' underclothing.
434. *Chairman.*] Do the women you employ obtain better wages than they would if they were in domestic service? No, nothing like it I should say as a whole.
435. What do you suppose to be the reason of their choice? There is greater freedom; they can leave their situation and get work from another establishment at any time, except for two months in a year, as at the present time for instance, between summer and winter. For a month or five weeks there is a difficulty of finding employment, and during that time how on earth they live, unless they have made some provision, I can scarcely tell. It has been a matter of serious consideration with our firm for years, and having myself had to engage many hands I have suggested to parents whether it would not be better to place their daughters with families for domestic service, where they would be well cared for and receive good wages, than to come to us as apprentices where they would receive low wages or none. But they seem to think that servitude is not the thing for their children, but that they should be placed in some position where they would be their own mistresses. I have spoken in this way hundreds of times, and in some cases the mother has taken away her child in displeasure.
436. Do you think the greater freedom they have has a bad effect upon their morals? I think the time they have at their command at night is often the occasion of great injury to them.
437. *Mr. Farnell.*] During what hours do they work? In our house from 9 to 6, but I think it is very likely that in factories, where they work by the garment or piece, the hours are longer, and that they work as long as the factory is kept open, as the longer they work the more they earn.
438. *Mr. Watson.*] All your observations apply to persons over 14 years of age? Yes.
439. You are quite clear upon this point that there are families which take work from you in which very young children are kept at work? I cannot say that; they may have children of 13 or 14 years of age who are kept at work, but I do not know that.
440. *Chairman.*] Have you any knowledge of the previous life of the girls whom you have employed? They have usually attended school. We make a point of getting references both with boys and girls who come

come as apprentices from their schoolmasters or mistresses, unless they have previously been employed when we get them from their last employers, but it is always understood that the first reference should emanate from the schoolmaster or mistress.

441. Then, as a matter of fact, all in your employ are more or less educated? They are.

442. Do you make that a necessary qualification? No, we do not, but we would rather take the opinion of one who has had the instruction of them than of the parents, because if they have given their tutor a great deal of trouble they would be likely to cause us the same, and we would not take them if the report were unfavourable. The parents would of course speak well of their children.

443. Do you know whether, as a fact, many of the girls employed at these places do go astray? No, I have no knowledge.

J. E.
Woodward,
Esq.

2 Mar., 1876.

Mary Donohoe examined:—

444. *Chairman.*] In what employment are you engaged? At a tobacco factory.

445. In whose manufactory are you employed? In Messrs. Cameron's.

446. Have you been at work there many years? Two years and a half.

447. Are there many young people engaged there? Yes, a good many young girls.

448. Are there many under 14 years of age? I dare say about four or five.

449. What wages do they earn as a rule? Some of them earn 10s. a week, but when they were on regular they used to earn over £1.

450. Young girls like these? Some of them.

451. What kind of work are they engaged in? Plug making.

452. Is that twisting or rolling the tobacco? Covering the tobacco.

453. *Mr. Watson.*] Is roll tobacco what you call plug? Yes.

454. *Mr. Farnell.*] The roll becomes cake tobacco after it is pressed? Yes.

455. *Chairman.*] Do the girls complain at all of the effect the employment has upon their health? I have never been sick since I have been there, not to go home sick. There are not many go home sick. I have complained of headache sometimes.

456. Have any of them to leave the occupation in consequence of ill health? No, not through the tobacco.

457. You are quite sure of that? Yes.

458. How many hours a day are they employed? Ten hours.

459. *Mr. Watson.*] Does that include the hour for meals? No.

460. *Chairman.*] They work from 6 to 6? Yes.

461. Do any of them attend school? No, I do not think any of them attend school at night.

462. Do you know whether they can all read and write? No, they cannot, all of them.

463. Can you read and write? Yes.

464. *Mr. Farnell.*] How old are you? I shall be 19 the 26th of next July.

465. How long have you been employed in this way? Two years and a half.

466. *Chairman.*] Do you think girls of your own age earn better wages at this work than they would in domestic service? Yes.

467. What do you earn? £1 5s., and sometimes £1 6s. a week.

468. You prefer that labour to domestic service? Yes.

469. Because you earn more wages, or for other reasons? Because I earn more wages.

470. *Mr. Farnell.*] Do you reside with your parents? Yes.

471. Have you any brothers and sisters? Yes.

472. Do any of them work at the factory? One of them works at our factory, and one at Mr. Hunt's.

473. What are their ages? One is 10 years old, and the other turned 17.

474. What do you do with your wages when you get them? Bring them home to my mother.

475. Have you a father? Yes.

476. Is he any trade? Yes, he is a bricklayer's labourer.

477. Do you know how these boys and girls employ their time after they leave off work? No, I do not.

478. How do you employ your time at home? When I go home I scarcely ever go out at night.

479. In the meal hours do you have your meals in the establishment, or do you go home? I go home.

480. Do all of them go home? No, some live too far away.

481. Where do they have their meals? On the establishment.

482. How do the boys generally conduct themselves there? Some of them pretty fairly.

483. Are they ever offensive to the girls? No, they are in different departments.

484. Do you meet them when you leave, or when you go to your meals? No, we are let out a quarter of an hour before the boys.

485. *Mr. Watson.*] Can you say what proportion of the girls can read, whether one in three or two in three? I know one cannot read and write; I do not know of any others.

486. Then you say they can all read and write? No, not all; but I know only one who cannot.

487. *Mr. Farnell.*] Do you know whether all the girls who are employed at Messrs. Cameron's are well-behaved? I do not know as to all of them.

488. *Mr. Dangar.*] Did you ever work in a tobacco factory before you went to Messrs. Cameron's? No.

489. You said just now you did not know whether any of the girls attended night-school;—do you mean to say that you cannot tell us whether any girls actually do attend night-school? I do not think any of them do, for I never heard them talking about it.

490. Do the girls work in a separate room from the men and boys? There might be a few boys now and again in the room, that is all.

491. You never work in the same room with the men? No.

492. *Mr. Watson.*] There is a man in charge over you? Yes.

493. Is he the only man in the room? Yes.

494. *Mr. Cameron.*] Do these girls to whom you have alluded, who are under 14, earn as much as you? Not all of them.

Mary
Donohoe.

2 Mar., 1876.

- Mary
Donohoe.
2 Mar., 1876.
495. What do their wages average? Some of the little ones earn 18s. a week, and some less.
496. As low as how much? As low as 7s.
497. You state that the girls prefer this because they earn more money? Yes.
498. What are the average wages of domestic servants? 10s. and 12s.
499. Then they get board and lodging besides that? Yes.
500. They do not have the evenings to themselves, that is the great consideration with many of them? Yes.
501. I suppose some of them would prefer to have their evenings to themselves even though they should earn less money? Yes.
502. You have stated that you find the girls pretty well behaved as a rule? Yes, in the room they are.
503. Out of the room? I do not see anything of them out of the room.
504. They are all girls you could mix with freely, are they not? Yes.
505. Do you think these little girls under 14 can read and write? Not all.
506. The majority? Yes.
507. Can they do much more than read and write—they are not what you would call good scholars;—they have been at school only a limited time? Yes.
508. Your father and mother are still alive? Yes.
509. What does your father earn? 10s. a day.
510. He has pretty constant employment, has he not? Yes.
511. Does your mother do anything beyond keeping house? No.
512. You have stated that you have one brother under 10 years of age? Yes.
513. In what factory does he work? At Cameron's.
514. What does he earn? 6s. and 7s. a week.
515. He assists the twister? Yes.
516. Are boys of the age of your brother allowed in the room with the girls? Yes, there are a few on the opposite side of the room.
517. Are they allowed to hold a friendly chat together? The foreman is very strict.
518. Are they allowed to leave the factory at the same time as the girls? No, we are out a little before.
519. How many of the boys and girls are engaged in one room? There are about twenty girls and half-a-dozen boys.
520. Is it a large room? Yes.
521. Much larger than this? Yes, three times.
522. But not nearly so high? No.
523. Have you any idea how high? No.
524. *Chairman.*] Have you any brothers and sisters younger than yourself? Yes, four at home.
525. *Mr. Cameron.*] How much does your brother, who is at Hunt's, and who is 17 years of age, earn? 15s. and 16s. a week.
526. Does he give that to your father or mother? Yes.
527. Do you go to a night-school? No.
528. Does your brother, who is 10 years of age, go to a night-school? No.
529. *Mr. Farnell.*] Does this little brother of yours, who works at Cameron's, get any instruction at home? No.
530. Not from your father or mother, or from yourself? No; neither my father nor mother can read or write.
531. *Mr. Cameron.*] Can your brothers read and write? No.
532. *Mr. Dangar.*] During the time you have been employed at Messrs. Cameron's factory have there been many changes in the girls and boys engaged there? Yes.
533. Have many been employed there as long as you? Yes, a good many; some have been there going on for three years.
534. During your experience have there been many changes in the people employed? Yes.
535. Can you say how long, as a rule, they remain in the factory? Some, two or three days—some a week, a month, and so on.
536. They are constantly changing? Yes.
537. Can you tell us why they change? I cannot.
538. *Mr. Farnell.*] You do not know why they leave? No.
539. *Mr. Cameron.*] You have a good many boys in the factory now? Yes, there are a good many there now.
540. How many would you imagine? About twelve months ago there were close upon a hundred; there are about fifty now.
541. Most of these lads smoke, do they not? Yes.
542. And chew? Yes.
543. Are they allowed tobacco to chew? Yes.
544. *Mr. Dangar.*] Do they ever allow girls tobacco? No.
545. *Mr. Cameron.*] I suppose your work is done by your standing up? Yes.
546. Are these little ones standing up all the time? Yes.
547. *Chairman.*] Do your younger brothers go to school? Yes.
548. What school do they attend? St. Francis's school.
549. *Mr. Watson.*] There are tables in the room where you work? Yes.
550. Do you each have a table to yourself? Yes.
551. Does it happen sometimes that two girls work at one table? No, the tables are not large enough for two; they are about 3 ft. 6 in. wide.
552. There is a space between the two lines of tables of about the same distance? Yes.
553. Did you ever feel oppressed by the heat of the room from the number at work there? No.
554. *Chairman.*] Are there many windows in the room where you work? Yes, there are seven in the room.
555. Are they always thrown open? Yes.
556. I suppose you may have the windows open if you please? Yes.
557. *Mr. Cameron.*] Then your parents are actually in receipt of your father's wages, of your own, and of your two brothers? Yes.
558. *Chairman.*] What are the united earnings of the family—£5 6s. a week? That is not constant; my father sometimes loses time.

559. *Mr. Cameron.*] As a rule bricklayers labourers have been very busy lately? Yes.
560. *Mr. Farnell.*] Are there a number of elderly women employed there? There is one.
561. *Chairman.*] Is there a forewoman in the room? No, only a foreman—Mr. Gorman.
562. *Mr. Dangar.*] Are you constantly employed there—from Monday morning till Saturday night? Yes, when there is work to do.
563. Is your work constant? No, not at Christmas time.
564. Generally speaking? Yes.
565. During the two years and a half you have been there have you been constantly at work from Monday morning till Saturday night? Yes.
566. Do you ever take a day's holiday? Yes.
567. *Mr. Cameron.*] Do you like the occupation? Yes.
568. Would you prefer it to working in a dressmaking establishment? I would just as soon work there as at dressmaking.
569. And you would far rather have it than domestic service? Yes.
570. That is because you have more freedom? Yes.
571. *Mr. Farnell.*] You have Sunday to yourself? Yes, and Saturday afternoons.
572. *Chairman.*] Do you find your work to be of a very fatiguing character? I did the first week I went there.
573. *Mr. Cameron.*] Are you paid by piece-work? Yes.
574. Do your brothers go to Sunday-school? No.
575. Or to church? They sometimes go to church.
576. I suppose after working all day they go out in the evening to have a little relaxation? Yes.
577. *Mr. Watson.*] Is the establishment well supplied with such conveniences as you may require during the day? Yes.
578. And separate from the males? Yes.
579. *Mr. Cameron.*] You never have occasion to go through the males apartments at all? No, we are never allowed to go out.
580. You have places to wash your hands and everything of that kind? Yes.
581. *Mr. Dangar.*] How did you learn the particular work you have to do here? The foreman taught me in a day.
582. Have you been always employed upon the same kind of work? No, I have had to work on a different sort of tobacco.
583. What did the foreman first teach you? To cover flat plugs.
584. What are you doing now? I am doing the same.
585. It is all plug making? Yes, but different sizes.
586. Do you make any twist tobacco? No, the men make that.
587. Are you paid by number or by weight? So much a pound.
588. Do you mean to say that you are never ill from the effects of this work? No; when I go home at night I may complain of a headache.
589. But you never have to leave it? No.
590. *Mr. Watson.*] Do you think girls who are thus employed have as clear voices as those who have out-of-door employment? I do not know; I never took that much notice.

Mary
Donohoe.
2 Mar., 1876.

FRIDAY, 3 MARCH, 1876.

Present:—

MR. CAMERON, | MR. FARNELL,
MR. F. B. SUTTON.

WILLIAM H. SUTTON, JUNR., ESQ., IN THE CHAIR.

The Committee having met at the Committee-room proceeded to Messrs. Alderson & Sons, leather and bootmaking manufactory, Surry Hills. In the riveting-room the foreman, Mr. Tanner, called out all the boys under 14 years of age. Twenty lads came forward, all of whom stated that they could read and write; three went to a night-school in Devonshire-street, and six to Sunday-school. The room in which they are employed is well lighted and ventilated.

Michael Murray stated: He is going on for 12 years of age; has been working in the factory about six months; his hours of work are from 6 in the morning until 6 in the evening, with three-quarters of an hour for breakfast and three-quarters of an hour for dinner; has a half-holiday on Saturday, and gets 6s. a week; is not very tired when he goes home at night, but does not attend a night-school; father is a boot-finisher, and mother is living.

James Papps is going on for 11; has been working nearly twelve months; earns 6s. a week; takes the money home to his mother, who has three children besides himself, and earns her living by mangling; his brothers are younger than he; likes the work pretty well, but is too tired when he leaves off to go to a night-school.

Robert Mills is 13 years and 10 months old; has been at work three years; his parents are living; father works up-stairs and receives 30s. a week; also goes to Randwick for half a day, twice a week as a musician, for which he receives 12s. 6d.; has two sisters and a brother; one sister is employed as a dressmaker; his brother goes to school; he (witness) attends a night-school three times a week from 7 o'clock until 9; learns sums, reading, and writing.

The foreman stated that lads of from 12 to 15 years of age in this department earned from 5s. to 16s. a week, and that as they reached the ages of 16 or 17 they worked at piece-work, by which they obtained a much higher rate. Good workmen received from £2 10s. to £3 a week. The lads were not apprenticed.

The Committee next visited the closing department, in which were employed thirty-six women and girls, and twenty-four men and boys. This is a long apartment, well lighted by windows on both sides, about 150 ft. long by 20 wide, and 11 or 12 to the ridge of the roof. The apartment is unceiled.

At

At one end of the room a few boys and girls were employed, but the foreman explained that this was a merely temporary arrangement consequent upon some experimental new machinery, and that ordinarily the sexes were kept quite distinct.

The larger portion of the females were working at the opposite end of the room, apart from the men and boys.

The foreman, Mr. John Mills, called forward all girls under the age of 14, when six presented themselves. In reply to the question of the Committee all of these stated that they could read and write, and their capability was satisfactorily tested. These girls stated that they were paid from 4s. to 10s. a week that they did not go to school, but that some of them practised reading and writing at night, though others complained that they were too tired after their return home. The foreman stated that none of the girls in this department were above 20 years of age, and that the elder of them received £1 a week; one of them stated that the close application to the machine injured her health, and that she had been compelled to stay away from work in consequence.

Adelaide Burke is 11 years old; has been at work six months; her father is dead, mother is living, but does not work at anything; gets 4s. a week; has been at school, and can read and write; goes to Sunday-school, but does not go to night-school; comes to work at a quarter to 9, has three-quarters of an hour for dinner, and leaves off at 6; is not very tired when she goes home.

In the men's clicking department—

James Smith stated he is going on for 15; has been at work 18 months; receives 10s. a week; goes to night-school.

In the saddlery department there are no boys under 14, but 32 lads of from 15 to 17 are employed. The foreman stated that in this department the wages are from 6s. to 10s. a week.

THURSDAY, 9 MARCH, 1876.

Present:—

MR. FARNELL,

MR. F. B. SUTTON,

MR. W. H. SUTTON, JUNR.

The Committee having met in the Committee-room, proceeded to the manufactory of Messrs. Wright, Davenport & Co., Tanners, Curriers, and Boot and Shoe Manufacturers, Marrickville.

Messrs. Joseph Davenport and Alcock conducted them over the establishment. The Committee first visited the riveting department. The portion devoted to boys is an apartment 40 ft. x 26, and 11 ft. high. In this room about twenty youths were employed. Mr. Davenport stated that these were apprentices. They were apprenticed from the age of 12 years and upwards for a period of four or five years, and received 5s. per week for the first, with an addition of 2s. a week for each succeeding year of their term. They worked from 8 until 6 o'clock, with an hour's intermission for dinner. He believed they could all read and write, though that was not required of them.

Elijah Matthews stated: I shall be 16 next August; have been here a year and seven months; before I came here was employed at a butcher's; I have been at work ever since I was 8 years old; cannot read and write; have never been to school, excepting for three weeks to a night-school; father is dead; mother keeps house; have five brothers and sisters; are all older than I but one; one brother works here and one in Sydney; brothers and sisters have been at school; when he leaves work plays with other boys at cricket and other games.

Robert Murray stated: Has been at work here six months; is 14 years old; earns 7s. a week; cannot read and write; has not been at school a good while; father and mother are living; father drives a coach.

John Donohue stated: Is 13 years old; has been here a month; wages 5s. a week; can read. (*Upon being tested by Chairman had to spell each word.*) Was at St. Joseph's school before he came here; has not been since; does not know how long he was at school; father works at the tannery; has two brothers also who work there, and two at home who go to school.

Mr. Davenport said their firm endeavoured as much as possible to get lads for apprentices who were above 14 years of age, but that there was great difficulty in obtaining them; that in some instances they ran away from their indentures to act as omnibus conductors, an occupation to which many were partial, and that when they had once engaged in that occupation they were rarely afterwards useful in the factory.

The Committee next visited the clicking or cutting-out room.

Peter Corcoran stated, he is 12 years of age; has been here three weeks; earns 5s. a week; cannot read, but goes to a night-school in Gerard-street; father drives a horse and cart; has two carts and horses of his own; has two sisters working here; has one sister and three brothers at home.

Frederick Brown stated:—He is 10 years old; has been here only a little while; earns 4s. a week; can read a little; does not go to school; would be too tired when he leaves off work to go to school; comes to work at 8 o'clock and leaves off at 6; has an hour for his dinner and a half holiday on Saturday.

Machine-room,—

In this room,—about 90 feet by 20 feet, open to the roof, which is covered with galvanized iron, and rises at the ridge from 13 to 14 feet,—about seventy females were employed at sewing-machines, tying-off, &c.

Mr. Davenport stated that the girls in this room were apprenticed generally for three years, at 5s., 7s., and 9s. a week; and that after they had completed their term they could in some cases earn as much as 30s. a week by piece-work; generally they commenced their apprenticeship when about 14; but there had been instances where girls of 18 had entered into indentures.

At the request of the Committee all under the age of 14 were called forward. Of the nine who presented themselves six could read and write, two went to night-school, and all to Sunday-schools.

Eliza Wiseman stated, she is 11 years old; has been here fifteen months; is paid 4s. a week; can read and write; goes to Sunday-school; father and mother are living; father is a carpenter; comes to work at 9 and leaves off at half-past 5 o'clock.

Charlotte

Charlotte Hindman stated, she is 10 years and 2 months old ; gets 4s. a week tieing-off ; can read a little ; father works in the tan-yard ; has one brother and seven sisters ; one sister is here, one is at service, and one brother in the tan-yard with father ; the rest are at home and go to school ; before she came here went to school ; now goes to a Sunday-school.

Rosina Inch, 11 years of age ; cannot read and write.

Harriet Stuart, going on for 14 ; cannot read ; father does anything he can ; is not in work ; is always bad with the rheumatism ; mother does nothing ; has three sisters and one brother ; brother works in Sydney as a cooper ; one sister works at the other end of the room ; one is in service, and has only a little sister at home ; gets 4s. a week.

Laura Keene stated, she will be 14 in three months ; gets 4s. a week ; can read and write ; her father is dead ; mother lives on her means ; has three sisters, who are married, and one who works here ; goes to Sunday-school.

FRIDAY, 10 MARCH, 1876.

Present :—

MR. CAMERON,
MR. H. C. DANGAR,

MR. FARNELL,
MR. W. WATSON.

WILLIAM H. SUTTON, JUNR., ESQ., IN THE CHAIR.

Mr. Joseph Thomas examined :—

- 591. *Chairman.*] What trade are you employed in? Bootmaking.
- 592. At what place? Mr. T. O. Dadswell's, King-street.
- 593. Are you the foreman there? Yes.
- 594. Are many persons employed there? About seventy at present—from that to a hundred.
- 595. Are many young persons employed there? Yes, there are young women from 15 upwards.
- 596. Are there none under 14? There are two, I think ; one is 11 years old and the other will be 14 next month.
- 597. Have you any young lads? No young lads ; they are all over 14 I think.
- 598. Do any of them enter into apprenticeship before that? No, we do not take any under 14.
- 599. How many years have the youngest been working there? Some of them have been there only five or six months.
- 600. Have any of the 70 or 100 in the establishment entered it at a younger age than 14? I do not think so, for they are not of any use to us under that age.
- 601. Why are they of no use? They are not strong enough to work at our trade under that age.
- 602. Is that very laborious work? It is ; particularly riveting and pegging ; and then again at the machine-work girls cannot work under 14 or 15.
- 603. Why is that? They are not strong enough.
- 604. Have you had any experience of girls under that age? Yes, I had some five or six years ago. At that time we employed younger people than we do now, but we found that elder ones answered our purpose better.
- 605. Then from your experience you say that they are not strong enough for this work under the age of 14 or 15? Yes.
- 606. Is machine-work done on the premises? Yes.
- 607. Girls work the sewing-machines? Yes, all girls.
- 608. Do you think working the machine has an injurious effect upon the health? I do not think so upon our girls. Our hours are very good—only eight hours a day. They are good rooms in which they work, and the girls are not too much crammed together.
- 609. You are decidedly of opinion that the trade of bootmaking is too laborious for young persons under 14? I am.
- 610. Do you think the young women at work in your establishment could earn better wages at domestic service? I do not.
- 611. What wages do girls in your employment earn? From 6s. to 30s. a week.
- 612. At what time does your establishment close? At a quarter to 6 in the afternoon and commence at 8 ; the young ladies commence at 9—boys and men at 8. They all leave off at 1 o'clock on Saturdays.
- 613. *Mr. Dangar.*] Is there any intermission? Yes, we give three-quarters of an hour for dinner, and they leave off at a quarter to 6.
- 614. *Chairman.*] Do you know what is the educational condition of the young people employed by you? That I could not say, but* I think the general run of them can read and write.
- 615. Do you make reading and writing a necessary qualification for taking them into your service? No, we do not require it.
- 616. Then their capability in that respect is not questioned? No.
- 617. *Mr. Cameron.*] I suppose you have some lads working under 17? Yes.
- 618. How many, at a rough estimate? I do not believe we have above three or four ; I think they are nearly all out of their time.
- 619. Those three or four whom you have there—do you pay their wages to them or to their parents? To them.
- 620. Have you any means of knowing whether they hand their money to their parents? No, excepting that their parents sometimes come round to ask what money they received on pay-night.
- 621. You never interfere between them? No.
- 622. How many girls have you working there under 18? I think about three.†
- 623. What wages do these girls earn, as a rule—the general average wage? After they get out of their time at our place we give them from 10s. to £1 a week.
- 624. These girls up to 17 will not be out of their time? Yes, we apprentice these young women for only two years.

Mr.
J. Thomas.
10 Mar., 1876.

* NOTE (on revision) :—I find since that all in our employ can read and write.
† NOTE (on revision) :—Say six instead of three.

- Mr. J. Thomas.
10 Mar., 1876.
625. Then these girls of seventeen would have been there at first when they were fifteen? Yes, some do not come out until they are twenty years of age.
626. What wages do they get during their apprenticeship? From 6s. to 10s. during the two years, I think.*
627. Do you find that they are an obedient and orderly class, as a rule—are they well behaved? I must say among the girls and women we have had in our establishment (and I have been connected with it the last nine years) I have never seen anything wrong. Some of the boys we have found to be very rude, very bad, and we have had to cancel their indentures.
628. You have not found them, as a class, very shining in an educational point of view? No.
629. The majority can read and write? Yes.
630. They are not to say well educated—they cannot do much more than that? No, I do not think they can do much more than read and write.
631. Are they allowed to leave the establishment during the recess that takes place for meals? They can go outside where they like during the meal hours.
632. Do you know whether the lads or men are in the habit of speaking with the females and of becoming acquainted with them at these times? Not in our establishment; they are kept apart in separate workrooms.
633. When they are outside, when your back is turned, do you know whether they form acquaintanceships? I cannot say, I should not wonder if they did.
634. Have you heard of such cases occurring? I cannot say I have, but I believe they do. Do you mean among our own young men and women in the factory?
635. Yes? No I do not think they are in the habit of forming acquaintanceships.
636. Some of these girls earn £1 a week you say? Yes, from £1 to 30s.
637. But of that they have to find board and lodging for themselves? Yes.
638. Would they not be better off in domestic service? I dare say many of them would; I would not say those who are getting from 18s. to 30s. a week, but those who are getting from 10s. to 12s. a week; I dare say if they were in domestic service they would get from 10s. to 12s. with board and lodging.
639. I suppose the great inducement to these girls to enter into this employment is that they have their evenings and Sundays to themselves? I dare say it is so.
640. How many of these women and girls have you working in one room? Seven in one.
641. How large is the room—as big as this? Yes, I think it is.
642. How many windows are there in the room? Two, I think, facing King-street.
643. Are these windows obscured, painted so that the girls cannot see through? Yes.
644. To prevent their neglecting work by looking into the street? Yes.
645. Are these windows liftable? No, they are fixed down, but the top window can be lowered to half the depth of the window, about 2 feet, so that the room is well ventilated.
646. You cannot lift the lower portion? No.
647. How are you provided in your establishment with places for washing hands and faces, water-closets, &c.? We have them for the girls and women, but the boys do not trouble themselves about it.
648. You have water-closets for each? Yes.
649. Are the water-closets for the girls so arranged that the boys or men can in no way see them or interfere with them? Yes.
650. I suppose the young people are mostly the children of working people, labourers, and mechanics? Yes.
651. *Mr. Farnell.*] Are these young persons you have spoken of bound by articles of indenture? Yes.
652. After the girls have served their apprenticeship do they as a rule continue in your employment? They do generally, but sometimes they get a little saucy; some of them think they ought to get the same wages as those who can work better than themselves, and complain, and if they do not get what they want, leave. But some of those who are now in the establishment were there six months before I went there.
653. Have any of these young women got married during their apprenticeship? I remember only one case and then her master gave her permission.
654. It is forbidden in the indentures is it not? Yes, I think it is.
655. Do many of these girls get married after they have served their apprenticeship? Yes.
656. To whom do they get married—to persons who have been employed in the same establishment? I cannot think of one who has been married to a young man in the establishment.
657. After these young women are married do they continue to work in your establishment? No, there was one young woman who had been with us three or four years, who continued to work after she got married.
658. Do you think as a whole the young women who take to this boot-making or sewing machine work in these factories are a virtuous class? I do; I have not seen any of them turn out to the bad, excepting one case.
659. That is to say that these young women who have been apprenticed generally continue to work with you until they are married? No, I do not say that; some of them do stop there. We have now some that are 21 or 22 years of age and even older who are single and very respectable people, but some go away to other factories or other kinds of employment.
660. Have you many young persons employed by you who are members of the same family? We have a brother and sister from one and three sisters from another family.
661. Do you know how these young persons employ their time after their day's work is done? I could not tell you because very few are close handy to me. I cannot tell what they do when they leave off work as I live on the premises and most of the people live at some distance. I have heard no complaints, and we are generally pretty careful to see what they are before we engage them or take them as apprentices—we like to know what sort of people their fathers and mothers are.
662. *Mr. Dangar.*] Upon what particular branch of your trade are these girls employed? All in the upper line.
663. That is the fine work? Yes.
664. Do they all work sewing-machines, every one of them? No, some of them in tying off and in rubbing down the seams.
665. *Mr. Cameron.*] Some of them paste the insides of the uppers? Yes, and fit them ready for the machine.
666. *Mr. Dangar.*] You said just now that the machine-work was heavy work? Yes, it is heavier work in leather than in cotton stuff.
667. Do the girls all work these machines with their feet? Yes.

668.

* NOTE (on revision) :—Say 5s. first year and 7s. 6d. second year.

668. How many machines have you working altogether? I think about twelve now.
669. Did you ever hear of the machines affecting the girls spines or injuring their health in any way? Not in our establishment.
670. Did you ever hear of working at sewing-machines being injurious to girl's constitutions? Not in our place. I have heard people say that machines were injurious, but I never heard any of the girls complain with us.
671. Did you ever hear of a plan of working these machines by steam in some establishments? Yes, I have heard that it is done.
672. Do you know of any place where it is done now? I believe it is at Messrs. Alderson's.
673. Do the people in your employ take their meals in or out of the house? Some in the house, some outside. Most of them I think take their dinner in the house.
674. Did I understand you to say just now that if any girl were to marry during her apprenticeship her indentures would be cancelled? I think there was one case some five or six years ago; the apprentice was over 21 years of age and the master gave his consent. According to the indentures an apprentice is not allowed to marry.
675. When any of your hands leave have you any difficulty in supplying their places? No, we have not.
676. Neither girls nor boys? No, every time we put in an advertisement we get five or six more applicants than we want.
677. Is it the same with men? Yes.
678. You said that some of the boys were rude;—did you mean that they were rude to the men or to the girls? They will not do the thing they are told.
679. Are the boys ever in a position to be rude to the girls? No, they are not able to be so; they are kept quite distinct altogether. We have a forewoman over the girls and a foreman over the boys; and there is no one goes into the girls' rooms except myself to see how they are getting on.
680. Have you ever followed these girls in their subsequent career after they have left your establishment? I have known some who have got married and are doing very well.
681. You say you have very seldom heard of any of them going to the bad? I have not heard of any except in one instance.
682. You do not make it a point to ascertain whether they can read and write? No, but I have heard them reading at different times.
683. Do you know of your own knowledge that any in your employ are unable to read and write? That I cannot say. I know a great many can, but I never asked the question all round.*
684. The nature of your occupation does not afford you an opportunity of knowing whether they can read and write? No, but I have heard some of them reading and seen some writing.
685. *Chairman.*] Do you know anything of the home life of the girls and lads you employ? No.
686. *Mr. Cameron.*] Do you know if any of them go to night or any other school? No.
687. *Chairman.*] Would you employ any young persons of doubtful character? No. When any young person applies we want to see the father or mother, and find out what they are.
688. At what age do the girls generally leave off factory work? Some of them work at it until they are married; others, if they can get anything better go to it; and some go to domestic service.
689. Do you think this kind of life unfits them for domestic service? I do; for my part I would rather have them out of it.
690. Do you think they make good housewives? Some of them may, but I think if they went to domestic service they would make better wives.
691. *Mr. Cameron.*] They do not learn washing and ironing? No.
692. *Chairman.*] You are the only male in the habit of going among the girls? Yes.
693. You are a married man? Yes.
694. *Mr. Cameron.*] What are the average earnings of a shoemaker? It depends upon the skill and quickness of the workman; one can do twice as much as another; besides there are many kinds of work; the same hand does not do the making and finishing; some can make £2, others £3, and some even £5 a week.
695. I suppose the men who make £5 a week are not very numerous? No; pretty good tradesmen get from £2 to £3 a week.
696. Can you get any number of men when you want them at these wages? Plenty of them.
697. *Mr. Farnell.*] When these boys have served their apprenticeship with you are they competent to commence a boot and to make it throughout? No.
698. *Chairman.*] You have said in the answers you have sent in that you have several members of one family employed? Yes, two and three.
699. Have you any case where a father and one or two children are employed? I do not think we have.
700. What families have you in your establishment? We have one young woman who is employed and earns £1 7s. a week; she has a brother who is engaged in cutting, and he is getting 35s. a week; he is a young man.
701. Do you know whether they have any younger brothers or sisters employed? Yes, there is another sister, but she does not work in our establishment; she is working at M'Murtrie's.†

NOTE.—14 boys apprenticed; 4 girls, do.

Mr. John Vicars examined:—

702. *Chairman.*] You are the proprietor of a Tweed factory? Yes.
703. Where is it situated? In Sussex-street, Sydney.
704. What is the establishment known as? Late Barker's Tweed Factory.
705. Do you employ many persons? About 100.
706. Are any of them young persons? Many.
707. What is the youngest age? I could not say.
708. Do you make any inquiries in engaging them? No, not in this Country.

Mr. J. Vicars.
10 Mar., 1876.

709.

* NOTE (on revision):—I have since ascertained all in our employ can read and write.

† NOTE (on revision):—She has just left M'Murtrie's, and is in our employ at 15s. per week, making in all two sisters and one brother of one family, receiving wages to the amount of £3 17s. in all.

- Mr. J. Vicars. 709. Are many of them under 14, do you know? A good few.
- 10 Mar., 1876. 710. What do you call a good few? That is relatively; I am stating in reference to the whole of them, a good many of the whole of the youngsters will be under 14.
711. Have you twenty under 14? Yes, there would be that.
712. More possibly? Might be.
713. Of both sexes? Yes.
714. What is the nature of the work they do? It is more attendance than any manual or physical labour; they mend up ends when they are broken; all the work is done by self-acting machinery.
715. How long are they employed each day? Ten hours; from 6 to 6.
716. What hours have they for their meals? Three-quarters for breakfast and an hour for dinner.
717. Is it very laborious work? It is not at all; it is more simple attendance than anything else.
718. Are the girls and boys employed in the same apartment? Both in the same.
719. Have you any knowledge of their educational condition? To some extent.
720. Are there any of them who cannot read and write? Yes, a few, not many; those that cannot are the exception; but I dare say a great many cannot do a great deal more than read and write.
721. Do any of them attend any night-school? Not that I am aware of.
722. Do you think they would be able to attend after 6 o'clock if any were established? Not the slightest doubt of it.
723. Would the labour during the day interfere with their capacity for learning? Not at all.
724. Have you any knowledge of the home life of these young persons? They are generally respectable people, we may have a few of them who are not so, but I do not think there are many who are not. Several of them have their parents in the factory.
725. Have you many members of one family at work in the factory? No, sometimes there may be two or perhaps three—there may be a mother and sister, and perhaps two children.
726. What would be the joint earnings of that one family? The youngsters are started at 5s. a week; they are employed in tying-up ends that are broken, and they rise to 7s., and if the mother and sister happen to be suitable for loom work they are paid piece-work, and some make as much as 25s., 26s., or 27s. a week; good hands will earn that by piece-work.
727. How much do you know any one family to earn—their joint earnings? There is one that I have just in view that earns 55s. a week.
728. Have you had a good deal of experience in England at this kind of work? In Scotland.
729. Do you think people here employed in this work are better off than those similarly employed in England or Scotland? Considerably.
730. How much would a family similar to that you have mentioned earn in Scotland? About half.
731. *Mr. Cameron.*] In Glasgow? Yes, in Glasgow, Paisley, Gallashiels, Hawick, and all round; about half, or the good side of half.
732. *Chairman.*] Taking into consideration the cost of clothing, food, house-rent, &c., do you think they are much better off here? Not the slightest doubt of it. No one with the slightest experience could have the least doubt of it.
733. Have you any idea how the young persons employed by you spend their evenings and Sundays? I have not, I can only judge of the probabilities from the conduct I see in the factory. If I see anything in the shape of rowdiness I clear them out. I have every reason to believe they conduct themselves properly and decently. I have had characters that I could not keep, and have turned them off, as I considered it to be my duty to do.
734. That will happen anywhere? That will happen anywhere. If I find any characters of that description in the factory it is to my interest to see that they do not remain, because if they did respectable people who might be desirous to send their children to me would not allow them to come and associate with them.
735. Have you any persons employed by you whose parents could afford to send them to school, but who prefer to send them to your factory in order that they may obtain their wages? I do not think any would prefer to send them to me if they could afford to send them to school. I think they would prefer to send them to school if they could.
736. How do you know that? From my experience and observation.
737. Still there are many fathers and mothers who do send their children to work, knowing they cannot read and write? There are some no doubt. There are some in the factory who cannot read and write, and others who can do so only limitedly.
738. *Mr. Cameron.*] They cannot do much more? No, they are just able to write their own names, and read a little.
739. *Chairman.*] Supposing it were thought desirable by the Parliament to pass some law limiting the hours of labour of these children to six or eight hours, how would that affect your manufactory? It would affect us to some extent. In England, by the Factory Act, children under 8 years of age are allowed to work six hours a day, and no longer. They are compelled to go to school, they have no choice, and they must bring their pass-book from the schoolmaster showing that they have attended a certain number of hours? I cannot tell you the exact number during the week.
740. *Mr. Cameron.*] How do you think such a compulsory law would work here? I would be astonished to find that it did not; I would be very glad indeed to see it.
741. *Chairman.*] Are not the owners of factories in England allowed to employ children unless they can read and write? No; persons of 13 who can neither read nor write may be employed by them without asking any questions. There are several owners of manufactories at Home who have established night-schools at their own expense at which not only the children but men and women attend. Some also have given libraries from which those who read can, by writing down their names, obtain books to take to their own homes. There was one with which I was connected, owned by Messrs. Dicksons and Laings, where this was the case.
742. *Mr. Dangar.*] These establishments to which you now refer were much larger than we are likely to have here for many years? Yes, three or four times the extent of the factory I have.
743. *Chairman.*] Do you think where twenty-five persons could be got together in one factory it would be advisable to establish these schools? I would advocate it in any case.
744. In your factory I suppose twenty-five could easily be got to attend? Unless they were too much scattered from the centre; some of my people live nearly a mile from their work.

745. Still arrangements might be made by which they could take their evening meals, and stay at the factory after the work was over in order to attend the school? That would be a very good arrangement; I have sometimes thought of having a teacher at the factory at my own expense. Mr. J. Vicars.
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746. A thing of that kind could be carried out? I think it could, and that it would be very desirable in any case where it could.
747. How do you find the native lads and girls here, pretty quick in picking up — ? Rather quick sometimes
748. Quick as they are in Scotland? Yes.
749. *Mr. Dangar.*] As a matter of fact do you think the Australian boys and girls are quicker or more precocious than children in the old country? I do not think I would be justified in saying they are; perhaps in a centre like this, where they are in the habit of seeing the two sides of the chalk line, they would be more so than in many country places.
750. *Mr. Cameron.*] Do you find them pretty apt to acquire a knowledge of any trade or profession? Just as apt, I would not say more, as they are at Home.
751. *Chairman.*] I suppose nearly all the children you employ are natives of Sydney; you have none from the country districts? The greater part of them; I believe some I have in my employ were not born in Sydney but have come here with their parents.
752. You do not directly draw any from the country districts? No, unless their parents come and settle down in town.
753. Have you noticed what effect this occupation has upon health? Our business is very conducive to health; it is very different from a cotton factory, where the material is dry and the fine fibres fly about and oil is not used, but we use from 20 to 25 lbs. of oil for every 100 lbs. of wool, and all employed get greasy less or more; this oil being imparted to the skin gives what in some cases nature has denied—where there is a tendency to lung disease it generally promotes health.
754. There is not so much fibrous dust flying about in a woollen manufactory? No, there is not; the people can breathe freely without inhaling that kind of dust.
755. *Mr. Dangar.*] Yours is all *bonâ fide* wool? Yes, no shoddy.
756. *Chairman.*] What kind of oil do you use? Olive oil. I import it myself from London. There is a great temptation to adulterate it with rape oil, which is a quicker drying oil from its affinity for imbibing oxygen, and is a source of great danger, as the wool when this oil is used will soon heat and ignite and perhaps cause a place to catch fire.
757. Is the demand for Colonial tweeds increasing? I have as much to do as I can turn out.
758. Then do you think the manufacture is fairly established in the colony? No, only to a limited extent. There are only 18 sets of machines, some of which are hardly worth calling machines, in the colony; in Victoria there are 30 or 40.
759. Under good management are they not likely to go on increasing? No, good management will not do.
760. *Mr. Cameron.*] What would you recommend? If they can employ labour in Germany at 14s. or 16s. a week in the production of woollen goods, and these are thrown into our market, it of course places us at a great disadvantage.
761. In other words you believe there ought to be a duty? Yes, I am certain of it, and I think it is a great shame there is not.
762. *Chairman.*] Do you not think that evil would be met if the people were to make up their minds to use Colonial tweeds, finding that they were superior to those imported? Yes, but we do not find they do so; gentlemen might not object to pay an additional 10 per cent., which would not amount to more than a few shillings upon a suit, but the poorer classes would not do so.
763. *Mr. Cameron.*] Have you any young females between the ages of 10 or 11 and 18? Yes, a good many.
764. Could you give the Committee a rough guess of how many? About twenty.
765. Are they generally in the habit of remaining long at that employment? Yes, I generally remove them from one stage to another. They commence as piecers, and then promote them to other work.
766. What wages do they receive as piecers? I start them at 5s. a week, and they go up to 7s.; it just depends upon their work.
767. Is not the atmosphere of your factory, where there are so many people and so much machinery, heated and close? It is not close, sometimes it is too hot, but that is more from the fact of the building being partly roofed with iron. The building is a shed factory, all on the ground floor.
768. How high is the ceiling from the floor? The gutter beam is 13 feet above the floor—that is where the roof rests.
769. You have, I suppose, many lads from 12 to 18 years of age? Of all ages.
770. Mixed indiscriminately together? All on one flat, so that you can see from end to end.
771. During the recess that takes place for meals—three quarters of an hour for breakfast and an hour for dinner—are they at liberty to go where they like? Those who are living in the neighbourhood of the factory go home; those who come from a considerable distance bring their meals with them.
772. Did you ever notice whether the lads and girls associate during the meal times, or play together? I have not noticed, but no doubt they do.
773. If it has been stated that a considerable number of these girls are at times in the habit of using bad language, is it true? I am not personally aware of it, but I believe it to be true.
774. You have heard of it? Decidedly; sometimes I have heard that they have used such language as I have not wished to hear repeated. Of course they will not use it before me.
775. But you have heard it repeated to you? Yes.
776. *Mr. Dangar.*] Do you mean by the girls? Both boys and girls; there is no difference in nature.
777. *Mr. Cameron.*] Do you know if the youngsters are precocious in their habits—smoking and chewing? No, but they may do something else.
778. You do not allow of smoking? No, not within the factory—but I allow any one who is in the habit of taking a pipe to go and have one outside the factory.
779. Are these boys and girls fully employed without broken time? This has been an exceptional year with the wool manufacture, and the people have been employed only four days a week till within the last two or three weeks. I have been told there has not been such a dull season for eighteen years.
780. During your experience have you ever known any accidents to occur from people being employed in the room with the machinery? Yes, there was one young person—the son of the widow who works with her sister

Mr. J. Vicars. sister in the factory, and whose father I knew at Home—was injured by the machinery. I sent him to the Infirmary and paid his wages while he was laid up, but it is not usual to pay wages in such cases.

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782. Then the answer you gave would refer to a time when they were fully employed? Yes.

783. Do you know whether any of these young people attend night-schools? I am afraid very few do. There is one, boy—whose father and mother I brought from Queensland—whom I sent to Jones' school, and for whom I paid the first quarter's schooling simply to induce him to attend. There are not many I know who attend night-schools.

784. Is there any night-school contiguous to your factory? No, the school I refer to is in Washington-street; it is not a general night-school such as we have at Home.

785. Are the young people in your employment in the habit of going to church or to Sunday-school? I think a good few of them go to Sunday-school, but not many to church.

786. Are there many young women who remain long at this kind of employment? Yes.

787. Till they get married? Yes.

788. Do they prefer it to domestic service? Yes.

789. Can you state what is their reason for preferring it to domestic service? They have greater liberty, their time being their own after 6 o'clock, on Saturday afternoons, and Sundays, and when they are in such positions as I have described they make very good wages. These are their principal inducements; besides there is so much more drudgery in domestic service, for as soon as we put the steam on there is no labour with us, it is simply attendance.

790. Do you think their wages from one year's end to another, bearing in mind that they have to provide board and lodging for themselves, averages the earnings of a good domestic servant? I would say no.

791. They look rather at the greater freedom they have? Yes, and their easier employment. A domestic servant with 12s. or 14s. a week, and with food and lodging provided, would be better off, but the work is not so easy, there is more drudgery.

792. Are the work-people with you provided with lavatories and everything of that kind? No; there are proper water-closets.

793. Are they contiguous to each other? They are separated in such a way that the sexes cannot mix; one is fronting one way, north, and the other south, in the opposite direction.

794. Is there a partition between them? You could drive a cart through between them.

795. There is no danger from that source? None whatever.

796. Mr. Farnell.] Do you find any difficulty in obtaining the labour of these young persons? No; many times they come and ask me for work when I am sorry to say I cannot employ them. I dare say they are very ill off sometimes.

797. You have stated that this is a dull season? Yes very, for the last four months.

798. How do you account for that? Perhaps one principal reason is that there have been so many heavy failures in the old country recently that goods of this description, tweeds and cloths, have been bought up in the London and Manchester market, and the warehouses here and in Melbourne have been flooded with them, and they have been selling at 1s. or 1s. 6d. less than the usual prices.

799. The market here is overstocked? The market is overstocked.

800. Mr. Cameron.] What can a good male weaver earn? £2 to £3 a week.

801. They cannot find full employ? No, we have not one just now.

802. Mr. Farnell.] Do you know whether there are not persons in Sydney and the country districts who are selling as Colonial, tweeds that are made at Home? There are plenty, and although I have been in the business all my life I could be deceived in it. I could not tell whether there were shoddy or devil's dust in some of the best finished goods, but I could tell the quantity of cotton by analysing it.

803. Not by merely looking at it? No; there are some goods got up in Huddersfield, Leeds, and other places to please the eye, and they would deceive the best judges at the first appearance.

804. You have had a very large experience in Scotland? I have never done anything else.

805. What is the earliest age at which you think these children should be employed? There is a latitude allowed in the old country; for instance we have surgeons appointed in the old country for certain districts, and the factories in these they are required to visit periodically. We are bound to keep a register of the names of all the youngsters who have not passed examination; and if when the doctor comes round any of them have the appearance, the health or strength, of a lad or girl of 13 years of age, we are allowed to employ them.

806. Mr. Cameron.] So that I suppose the law is very often evaded? Sometimes it is.

807. Mr. Farnell.] I think you have said that under the Factory Act in Scotland, manufacturers are allowed to employ children of 8 years of age, but if they do so they must be educated? If they are 8 years of age they must work only six hours a day, and they must bring their teacher's book to show that they have attended school a certain number of hours a week.

808. And I understood you to express an opinion that it would be a wise thing to prescribe the hours of labour, in order that these children might have an opportunity of attending school? I do not know of any who are employed here as young as 8, there may be some who are employed at 11, but it would be a wise provision to have a night-school for these youngsters.

809. How would it affect a factory like yours, supposing there were a law which provided that they should work only six hours a day, in order that these children might be sent to school? It would not suit manufacturers.

810. You would have only to employ a larger number of children? Yes, but it would be very inconvenient to have them; it takes a long time to teach them, and the fewer we have the better.

811. Then you would prefer to have night-schools established? Decidedly. I think that would be a good thing.

812. So far as the business itself of tweed or cloth manufacturing is concerned, it would not require a very large amount of education to make persons competent? Certainly not, but they would be all the better members of society for education; they will be the future electors of the country.

813. I mean for the business itself? So far as that goes—No.

814. Mr. Watson.] I do not clearly understand your statement; [that if from its physique a child is determined by the surgeon to be 13 years of age, he may be employed without any educational test, but if he be only 8 years of age he may not? That is the fact.

815. Can you account for that? I cannot; I only state it as a fact; youngsters though they have no education at all if they are 13 years of age can get employment at a factory. Mr. J. Vicars.

816. But they must be subject to medical examination? Yes.

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817. Which does not apply to children of 8? Certainly it does.

818. Then are all subject to this examination? Yes; but if a youngster is stated to be 13 years old, and has the appearance of that age, he is not required to go to school. Very often a certificate of baptism is required to be produced in order to show the age, but I do not think that is always done, and there is no power to compel a child to go to school at that age.

819. Then you have some compulsory law in England that insists upon children of 8 years of age being sent to school? Yes, they are not allowed to be employed in factories at that age unless they attend school.

820. On whom does the penalty fall supposing they do not attend school? I do not know; I only know that such is the fact.

821. Who prohibits their working in the factory supposing they do not attend school? There are general Commissioners, one for England, one for Scotland, and one I believe for Ireland. Each district has a surgeon inspector who goes round and inspects the factories in his district periodically, and the books have to be produced to show that the youngsters have attended school the required number of hours. Whether when a child is represented to be 8 years of age the inspector can say, "This youngster is too puny, I cannot consent to his or her remaining in the factory," I do not know.

822. Are there then two inspectors, one who inquires into the health and another as to the education of the children? No, there is only one general inspector who goes round the district; there is no inspector for educational purposes alone.

823. I think you said you would approve of a compulsory law that children should not be employed until they were able to read? No, I would approve of night-schools, so that while they were working they might acquire education, but if you were to make it compulsory that a child should be able to read before entering a factory it might be a hardship to parents as well as to the children themselves. There might be many cases where the circumstances of the parents would not permit them to educate their children. If they could have employment and were required to attend school a certain number of hours a week it would be better.

824. Mr. Dangar.] You have given us to understand that the occupation of these young people is almost wholly attendance upon the machines? Yes.

825. Does not the wool undergo some cleansing process? It has to be scoured.

826. Is that done on the premises? There are scouring machines.

827. Is that all done by machinery? There is some manual labour attending that.

828. Are boys employed about the preparation of the wool? Yes, my eldest son is now learning to class wools.

829. These boys do not go into the water? No, it is not necessary.

830. From the nature of the occupation of these young people would they not, when the machinery was at work, have ample opportunity if they had the disposition of improving themselves? In working hours I would not permit it. If I see any one with a book I taboo it at once; they cannot attend to two things at once; they might neglect my work if they did.

831. Would not the occupation in which they are engaged enable them safely to devote a portion of their time to that purpose? Some of them bring books to the factory, and I have no objection to their reading if they are at piece-work, and having done their work have an hour to spare.

832. What is the proportion of the sexes employed by you? Two females for one male.

833. From your experience of factory girls in England should you say that the girls here are as well conducted as those in England? Quite as well.

834. Have not factory girls in England generally speaking rather a light reputation? Generally speaking they are very well conducted. I have had a rude girl that I have had to turn away.

835. Chairman.] Suppose any school were provided would factory hands be willing to attend of their own accord? I think so, I think there are a great many who would not want any compulsion.

836. You think there is a strong desire among them to improve if they had the opportunity? I think so, but it would be desirable that there should be a compulsory law requiring their attendance an hour every night, or so many hours a week.

837. You think it would be better to make it compulsory? I think it would be.

838. Do you think the employment of girls in factories has an effect upon the wages of domestic servants? It is very likely it has to a certain extent, but the difficulty of obtaining domestic servants is felt in Queensland where there are no factories. Indeed in all new countries there is a scarcity of labour, and it requires years to tone them down to the state of older countries.

THURSDAY, 16 MARCH, 1876.

Present:—

MR. FARNELL,

MR. W. H. SUTTON.

MR. F. B. SUTTON,

The Committee having met in the Committee-room proceeded to Messrs. Vicars and Co.'s Tweed Manufactory, Sussex-street, where they were met by Mr. Vicars' and conducted by him over the establishment.

On the basement floor, which is paved with stone and extends beneath the whole building, the several operations of sorting, scouring (by machine), dyeing, &c., are carried on. It is low and somewhat dark. Only a few lads are employed in these departments, and no girls.

Edward Hutherly stated he is 16 years of age; has been at work here eighteen months; was at work at a brewers before he came here; does not know how long ago it is since he began to earn his living; earns 8s. a week; father and mother are dead, and lives with his sister who takes in washing; cannot read and write; would like to learn; would go to a night-school if there were one near where he lives; begins to work at 6 in the morning and knocks off at 6, has three-quarters for breakfast and an hour for dinner.

The

The upper portion of the building is an extensive shed with brick wall about 12 ft. high, roofed with an alternate ridge and gutter of glass and galvanized iron. In this building are the carding machines, spinning jennies, and looms; and boys, girls, men, and women are promiscuously engaged in the various operations. The place is oppressively hot and close.

Elizabeth Scott stated she is employed at carding, is just 13, and has been working here nearly two years; gets 9s. a week; has no father; her mother weaves; does not know what she earns; has two sisters and two brothers; one brother works here and earns 5s. 6d. a week; the rest go to school; is too tired to go to school herself when she goes home at night.

James Scott stated he is going on for 11 years old, has been at work here nearly two years; his father is dead; used to work at the mills; his mother weaves; he earns 5s. 6d. a week; cannot read very well; works ten hours a day and goes to the Ragged School at night.

Isaac Cole stated he is 11 years old; has been at work here two weeks; earns 4s. 6d. a week; father is dead; mother does washing; has two sisters in service and one at home who goes to school; cannot read very well, but goes to Sunday-school; would like to go to a night-school if he could; is not very tired when he goes home.

Edward Foster stated he is just 14; has been here eight months; earns 8s. a week; father is a labourer, but cannot do anything; has been sick a long while; mother goes out washing; has two sisters and two brothers; one sister is out at service; can read and write.

John William Albury stated: Is just 13; has been here about six months; get 4s. 6d. at present, but will get 5s. in a couple of weeks; has been to school nine years; can do compound fractions and can read third class books; father and mother are living; father is a striker by trade (blacksmith) and earns 36s. 6d. a week; has three brothers at home and one brother working at Bubb's foundry, who gets 6s. a week; has a sister too who goes to school; goes to school himself on Sunday, but has the rheumatics, that is why he does not go to night-school.

Archibald Omnet stated he did not know how old he was or how long he had been here.

John Omnet stated he is the brother of the boy just spoken to; is himself going on for 12; does not know how old his brother is, but knows he is younger; has been working here about a year; earns 6s. 3d. a week; father and mother are living; father works at the railway; has two sisters at home and two brothers; one is married, the other works here and earns 5s. a week; his brother does not know his A B C; can read and write himself; goes to night-school and Sunday-school.

Kate M'Inlay stated she is going on for 11; has been working here a year and six months; has 7s. a week; father is living, but has been laid up for six months with rheumatism in the legs; mother and two sisters work here; mother gets 12s., eldest sister 10s., and little sister 5s. a week; cannot read; does not go to Sunday or to night school; would like to learn, and used to go to night-school, but when she went fell asleep; works from 6 till 6.

Bella Owens stated she is going on for 12; has been here about a month; gets 4s. 6d. a week; mother is dead; lives with her father and married sister; father is a drayman and works for Chadwick in Liverpool-street; cannot read; went to school when she was a little thing, but had forgotten all her letters; would like to go to school—would not be too tired; goes to Sunday-school, but cannot learn much.

Francis Wm. Sparrow stated he is 12 years old; has been here two weeks; has 4s. 6d. a week; father and mother are living; father is a striker; has three sisters, two in service and one married, and one brother who is a striker at Chapman's; can read and write; would like to go to night-school.

Mr. James Kelso stated that he was the overseer or carding master, and had the oversight of the young people in that department; that the girls and lads between the ages of 10 and 15 employed there earned from 5s. to 12s. a week. They were generally pretty well conducted while in the factory, but he could not say much with regard to them when they left; he believed a good many of the children were much neglected by their parents, who spent their earnings at the public-house, and who should be compelled to see that they learned to read and write. He thought if a night-school were established the children would be able to attend as their daily occupation was like play to them.

Emily M'Inlay stated that she is 9 years old; has been here four months; earns 5s. a week; father is sick in bed; he is a weaver; there are three sisters here; one get 7s. and one 8s. a week; mother gets 12s.; can read and write a little; would like to go to school at night.

Rosa M'Inlay stated she is the sister of the little girl just spoken to; she (Rosa) is going on for 13, and has been working here nearly two years; can only read very little—hardly her own name; would like to go to school.

FRIDAY, 17 MARCH, 1876.

Present:—

MR. FARNELL,

MR. F. B. SUTTON.

WILLIAM H. SUTTON, JUNR., ESQ., IN THE CHAIR.

Charles Joseph Byrnes, Esq., M.P., examined:—

- C. J. Byrnes, Esq., M.P.
17 Mar., 1876.
839. *Chairman.*] You are the proprietor of a tweed manufactory? I am.
840. Do you employ many persons there? Yes.
841. Are many of them young persons? Yes.
842. Under the age of say 15? Not many.
843. Can you give the Committee an idea of how many? I cannot.
844. Are they of both sexes? Yes.
845. What number of hours are they employed? About ten.
846. Do you know what their earnings are? That I decline to state.
847. What is the age of the youngest you employ? I think about 10.
848. Is their employment of a laborious character? No.
849. Can you give the Committee any idea of the labour in which they are employed? I could scarcely convey to the Committee any idea of the character of their work beyond stating that it is very light; the Committee would require to thoroughly understand the working of wool machinery.

850. They merely attend to the machinery? They attend to the produce or the result of the working of the machinery. C. J. Byrnes, Esq., M.P.
851. They are not subjected to any bodily strain at all? No.
852. Can you give the Committee any idea of their educational status—whether many of them read and write? The majority of them can read and write. I think at present the whole of them with the exception of two. 17 Mar., 1876.
853. Do you know whether any of them attend school? I am not aware.
854. Is there any school near your factory—any night or evening school? Yes, there is one. I believe it is a night-school—about two or three hundred yards from the factory.
855. Which the young people could attend of course? Yes.
856. Do you know anything of the home life of the young persons employed by you? No.
857. Or of how they spend their time after they leave the factory? No.
858. Are many of both sexes employed in the same apartment? I can scarcely answer that question.
859. The Committee have prepared a circular with certain questions which they have sent round to various manufacturers, including yourself; will you have the kindness to make inquiries, and answer those questions? That will depend upon how far I may feel justified in doing so.
860. *Mr. Farnell.*] Are the parents of these children for the most part employed by you? No, I think not as a rule. Of course I am speaking cautiously for this reason: The Education Act is now under discussion, and the testimony I might give now might perhaps confine me in any action I might think it desirable to take in reference to that measure. Therefore I reserve to myself the right of acting and voting without having given any previous expression of opinion until the Bill is discussed.
861. *Chairman.*] This Committee has not been appointed in consequence of the introduction of the Education Bill? I am thoroughly aware of that; but if this Committee were to recommend what I understand it is likely to do it would materially affect the question of compulsion in connection with education. But I am not here to discuss the matter with the Committee.
862. Could you give an opinion as to whether any children who work in such a factory as yours would be in a position or would be able to attend school after their day's work? I think so.
863. You think they would not be too wearied? No.
864. *Mr. F. B. Suttor.*] At what time do the children come to work and at what time do they leave? They work the ten hours, and it rests with my brother, the manager, and themselves, at what time they shall come and go, so long as we get the ten hours.
865. *Chairman.*] Suppose the Committee were to consider it necessary to limit the hours of labour in the case of children under 14 years of age, as is done in England, to six hours a day, how would it affect manufacturers here? Very prejudicially.
866. You think the half-time system would not suit them? I think not.
867. Suppose the Legislature were to pass an Act similar to the Factory Act in England, that no children under the age of 14 should be allowed to work in a manufactory after the dinner-hour, would that induce manufacturers not to employ these young persons? That would be quite a matter of opinion. I could not dive into the secrets or thoughts of the parents as to what they would do; but I imagine, seeing that these children as a rule are the support of poor widows, the half-time system would not suit them. How it would affect manufacturers I am not prepared to say.
868. Are many of the persons whom you employ the children of widows who are supported by them? I believe so as a rule.
869. Where is your factory situated? At the foot of George-street, Parramatta.
870. Is it well ventilated? Yes.

WEDNESDAY, 29 MARCH, 1876.

Present:—

MR. H. C. DANGAR, | MR. FARNELL,
MR. JACOB.

WILLIAM H. SUTTOR, JUNR., ESQ., IN THE CHAIR.

Thomas Lewis, Esquire, Inspector of Collieries, called in and examined:—

871. *Chairman.*] You have a large acquaintance with the collieries of the Colony? Yes. T. Lewis, Esq.
872. You reside at Newcastle? Yes. 29 Mar., 1876.
873. Have you had experience of the working of collieries in England? Yes, to a certain extent.
874. Do you know whether in the collieries at Newcastle there are many young persons employed? Yes, a considerable number.
875. Can you name the different collieries where any number of young persons are engaged? There are a large number of youths employed in the Australian Agricultural Company's Colliery—the oldest colliery in the Colony; also in the Wallsend Colliery, the Lambton Colliery, and in the New Lambton, Waratah, Duckenfield (formerly Minmi), and the Anvil Creek collieries.*
876. *Mr. Dangar.*] These comprise the leading collieries in the Newcastle district? Yes. In the Co-operative Colliery also there are a considerable number of youths employed.
877. I presume you mean us to understand that in all the important Newcastle collieries there are a number of youths employed? Yes. Under the Coal Fields Regulation Act no child is supposed to be admitted underground under 13 years of age.
878. *Chairman.*] Do you know whether there are any at work under 13? Not underground, unless they make false statements; but I do not suppose there are many, if any, under that age. It is part of my duty to look after the matter.
879. Are there many under 14 engaged underground? In the Wallsend and A. A. Co.'s very likely they employ more youths of that age than any of the rest; at least I presume so. I have never made any particular inquiry in the matter, but I speak from judgment. I dare say each of them employ forty youths between 13 and 15 years of age.

S80.

NOTE (on revision):—As I intended to include all the leading collieries, insert the "Co-operative" after "Duckenfield."

T. Lewis, Esq. 880. Can you give the Committee any idea of the kind of work they are employed upon? Many of them are what we call trappers—looking after air-doors, or doors fixed for circulating the air currents underground.

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881. Their duty is simply to open and shut these doors as may be required? Yes. Then there are a few employed as water-bailers; and there are many employed as wheelers, but few of these are under 15 years of age; those employed as wheelers are past that age generally.

882. Are any of these occupations very laborious? Not extra laborious, as a rule.

883. I suppose there is nothing to prevent the proprietors of collieries employing youths between 13 and 14 as wheelers? Youths of that age are scarcely strong enough for the purpose.

884. You think it would not be for the advantage of the proprietors to so employ them? If they are not strong enough, as I suppose they are not, it would not be to their advantage. The term "wheeler" is generally applied to the horse drivers, who look after the horses employed in wheeling the skips of coal from the face to the shaft. In olden times the youths themselves or adults used to be employed in pushing or shoving the skips, but that occupation now is generally done away with, horses or ponies being employed to draw them, and the boys who look after them are still called wheelers, as they used to be when they did the work themselves.

885. Are any girls employed? No.

886. In the old country they used to be? They were, but it is partly done away with now I think.

887. During what hours are these young people employed in the collieries underground? Ten hours, out of which they have an hour for meals. In some collieries they get two half-hours; in others one hour.

888. No other time? No other set time, except a few minutes now and then, incidental to the nature of the occupation.

889. Are there any young people employed on the surface? Yes.

890. What is the nature of their occupation? Generally they are employed in cleaning coal; they call them pickers; they are employed on and about the screens, over which the coal is passed to separate the dirt from the round coal. These boys are generally occupied on the screens picking out the stones, and so on.

891. Are they employed during the same number of hours? Yes. The pits work ten hours, starting at 7 and leaving off at 5, out of which there is one hour allowed for meals.

892. *Mr. Dangar.*] Nine hours of work? Yes.

893. *Chairman.*] Are the children employed on the surface generally younger than those employed underground? Yes; the Coal Fields Regulation Act does not extend to youths employed on the surface.

894. Have you any knowledge at all of the educational condition of the young persons employed at the collieries, as a rule? I have reason to believe that most of the boys are able to read, and to write so far as signing their names.

895. Still there are some that can do neither, I suppose? Yes, there are some, but I believe the large majority can do both as far as signing the name is concerned, although there may be, and I believe there is, one colliery—one of the leading collieries—which might be taken as an exception. The state of things in the colliery I refer to has been rather loose for many years; there has been neither school nor provision for religious worship for years.

896. Are there any schools attached to collieries? Yes. There is now to the individual colliery I have referred to. There is another colliery near Branxton, to which I have made passing reference, where the state of things is also rather loose, and where there is no school. These, however, are quite exceptions.

897. By whom are the schools established? By the Council of Education.

898. Are they established especially to meet the requirements of the lads employed in the collieries? Not particularly for them, but for the general demand of the rising generation in the neighbourhood—the children of miners and others.

899. Who, as a rule, are the fathers of these children;—are they persons employed as miners? Persons employed as miners generally; in fact it is the rule. Coal-miners form the large majority of the population.

900. Do you know what wages the boys get, both underground and on the surface? They get from 1s. 8d., 1s. 9d., and 2s. a day up to 4s. and 5s. This wage range will cover youths from 13 up to 16 and 17 years of age. The average wage of boys from 13 to 15 is from 2s. to 3s. a day.

901. Do you know of any females at all being employed in a coal-mine? I never knew of any female being employed underground, or in any other way, in the Colony.

902. Are they employed in surface working? I have never known a single case in the Colony.

903. Have the young persons employed in the mines an opportunity of attending schools? They have the opportunity only in the evenings because the hours of labour are generally from 7 in the morning when they start work till 5, when they leave off. They are at home at about 6, and can attend school in the evenings if they choose.

904. Do you know whether many of them do so? I fear there are very few.

905. Do the proprietors of collieries themselves ever provide schools? They have assisted largely by contributing a portion of the money required by the Council of Education towards buildings. For instance, it is said that Mr. Laidley, the proprietor of the Co-operative Colliery, gave £300 towards building a school.

906. Have you any idea how these lads employ their spare time when not at work in the colliery? I fear it is largely spent in dissipation; perhaps that is rather a strong term, and I should rather say in sport and gambling of one sort and another. When they get a little money that would be the rule, though there are perhaps a few exceptions, but I believe they are very few. If I might presume on making a suggestion on this point, I think it would be well for the State and Legislature to consider whether it would not be desirable to devise some means of inducement for these youths to attend night-schools, by offering prizes and rewards for keeping up and even improving the little education they have received. As a rule they have received some education before entering the pit, while under age, but no sooner do they enter the pit and get a little money than they neglect the whole thing. I have been thinking that it would be well for the State and Legislature to consider whether any means could be devised to induce them to attend schools in the evening.

907. Do you think that after working nine hours they would be in a condition to do so? I believe they are not so overworked as to disable them from attending to lessons in the evening three or four nights in the week for an hour and a half or two hours. I do not suppose for a moment that the nature of their occupation

occupation would prevent them. It is want of inclination and counter attractions of various kinds that draw them away, and it requires some inducement to counteract these. T. Lewis, Esq.

908. I suppose a sufficient number could be got together at each of the collieries to form a night-school? Without a doubt. 29 Mar., 1876.

909. *Mr. Dangar.*] Are the boys worked in shifts with the men—do they change with the men? They do not, as a rule. The men work only eight hours; that is the nominal shift. In each ten hours the pit works the coal hewn by two sets of men comes out. The first shift is supposed to go in at 4 in the morning and knock off at 12, and the second shift goes in at 10 and knocks off at 6 in the evening. The boys are at work at 7 and knock off at 5.

910. You said just now that there was one Newcastle colliery at which a bad state of things existed in reference to the education of the boys;—have you any objection to state what colliery that is? I would rather not make anything like invidious distinctions. They have a school there now.

911. Have you reason to think the establishment of that school will bring about a better state of things? Yes, in time.

912. There are schools established at all the leading mining townships? Yes, each of the leading collieries have a Public School, but New Lambton has had it only lately.*

913. What is your opinion as to the effect that the underground work has upon the health of these children—those who go into the collieries at 7 in the morning and come out at 5 in the evening. Do you think their health is prejudiced by the work they have to do underground? I could not say it is a healthy occupation, but, on the other hand, I could not consistently say I believe it to be extraordinarily unhealthy.

914. A great deal depends upon the ventilation of the mine? Yes.

915. Are most of the boys employed the children of miners who work in the mine? Yes, generally.

916. Have you any knowledge as to whether these children have the sole control of the wages they earn or not? The parents generally have the control of their wages.

917. You led us to infer just now that dissipation exists to such an extent amongst these youths as to indicate that they must have the spending of a great portion, if not of the whole, of their wages? If I used the expression "dissipation," as I believe I did, I must admit it was rather too strong. I was speaking in regard to the children's habits after they began to receive a little money; whether they get it from their parents or whether they get it themselves they begin to think they are men.

918. What is your opinion, or otherwise, of the providence of miners in good times? There are many of them as provident as you could wish to see them; but I must confess that there are many the other way.

919. Are they married men, as a rule, or single? Many are married—a fair proportion, considering the circumstances of the colony.

920. Are you aware of the existence of any night-schools at any of the townships? There are night-schools at several of them, but I could not particularise.

921. Does the term "wheeler" only apply to those whose duty it is to take the skips of coal to the bottom of the shaft? Yes, from the men working in the boards to the bottom of the shaft, or part of the way, as the case may be. In olden times, in the A. A. Company's mine especially, this was done by manual labour—hence the term; but now it is done by horse-power, small ponies being kept in the mine for the purpose; those who look after the ponies are called wheelers still.

922. Rails are laid to the face where the men are hewing the coal as fast as they get on? Yes, that is the rule.

923. *Mr. Jacob.*] Do you consider the young persons you speak of, from their age, unsuited to the calling in which they are engaged? No, I do not.

924. You do not think their calling is injurious to their physical development? Not specially so. I believe, on the other hand, that if the Legislature or the colliery proprietors prevented their going into the mines their hardships would be greater than they are now.

925. Simply from their age; do you think their moral development is injuriously affected? The associations are not well calculated to promote morality, still I am not prepared to say they are recklessly immoral.

926. From their tender age they are more likely to receive injurious impressions than if they were of more mature age? Yes, more likely than if they were of more mature age and had been well trained.

927. Do you think they are forced to work by their parents against their own wishes? No, I do not suppose there is anything like force in the matter, because the children are all most anxious to go into the pit rather than be at school. Of course in many cases there is a necessity laid on the parents to turn the labour of their children to the best account.

928. Are there many applications from young lads for work in the pits? They generally follow their parents.

929. Are there any wine-shops in the neighbourhood of these pits? As wine-shops I could only speak as to one colliery. Of course there are public-houses at all of them.

930. Do these young people, in your experience, resort to them much? Not up to 15 years of age; but when they pass 15 up to 18 attraction is found in the lowest public-houses.

931. Are there instances of intoxication among these young persons? I have not noticed many of that tender age the worse for drink. I believe the other attractions, such as gambling, are greater than drink; but of course the one ultimately leads to the other.

932. *Mr. Farnell.*] Are the public schools you have spoken of established specially to meet the wants of the mining districts? Only so far that they are established in the mining townships, where the miners form the major part of the population; but the schools are not for them exclusively.

933. As I understand you, these boys go into the mines at from 13 to 15 years of age, and if they have not then received any education they get none at all? No, if they enter before receiving any education the probabilities are that they do not get any afterwards, as a rule.

934. Could not some means be devised by which these young persons could work a portion of their time in the mine, and a portion of their time at school, in the day-time, without resorting to night-schools? It could

* NOTE (on revision):—Having more particularly inquired into the matter since my examination, I find that my evidence—to the effect, "that there was a Public School recently established at New Lambton"—is incorrect, there being no Public School established there yet.

T. Lewis, Esq. could be done, but it would entail considerable inconvenience not only on the parents but on the employers, to allow these children to go out of the pit at noon, for instance.

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935. Could they not work in relays. Supposing a certain number were required in a mine, say twenty, could not ten work in the morning and ten in the afternoon? Without a doubt.

936. Then the ten that were in the mine in the morning could go to school in the afternoon, and the ten that were at school in the morning could go into the mine in the afternoon? Yes; but it should not be forgotten that that would entail inconvenience; for instance, in that case the probability is that the employers would pay only half wages for a half day's work, and the parents and their children would be the sufferers.

937. In your opinion which would it be best to consider: the interests of the education of the children, or the convenience or inconvenience to the parents or employers? Decidedly the education of the children; but if you will permit me to revert to a previous statement of mine I shall explain my position. If I thought it was a case of absolute necessity, the one thing or the other, I would say the education of the children should be preferred beyond all other questions; but I think the hours of employment are now so moderate, and the nature of the employment not so injurious to physical energy, but that if the children had sufficient inducement they could attend night-schools now without any inconvenience under the existing state of things.

938. Supposing we had a law that insisted upon children getting a certain amount of elementary instruction during the week—so many hours—would not that meet all difficulties? Generally it would.

939. Whether in a night-school or a day-school? Yes; the means to be employed is a question whether night-school or day-school; I believe a night-school might be made to answer the purpose to a certain extent.

940. Of course you are of opinion that it is just as necessary to bring up children in habits of industry as it is to educate them or give them elementary instruction? I believe that is the basis of education.

941. If these young people employed in the mines were not employed there they would be running about idle? Yes, without a doubt, under present circumstances, because there is no other occupation for them.

942. Are there any schools established there other than the Public Schools, for instance, Denominational Schools? Not in the colliery townships generally, though I believe at Wallsend there is a Denominational School in connection with the Episcopal Church.

943. Is there one at Waratah? I think not, but I would not like to be positive; I think the Public School is the only school there.

944. There are a number of municipalities established in that locality, are there not? Yes.

945. These municipalities principally embrace the collieries? Yes, generally the colliery township is almost in the centre.

946. You are aware that under the Municipalities Act the municipalities have the power of establishing infant schools? I cannot say I am acquainted with the Municipalities Act.

947. There are no schools there specially established by the municipalities? No.

948. Are there any Schools of Arts or Mechanics' Institutes? There is one in nearly every colliery township.

949. Do these young men, who you say spend a good deal of their time at bagatelle and billiards, ever take advantage of these institutions? It is a mere matter of opinion, but I believe very few of them at that age take any interest in the means of education to be had at these places.

950. Are the miners generally an intelligent class? They are; I believe they would compare very favourably with any other class of labourers.

951. Have you visited the collieries to the south? Yes.

952. Are there many children employed there? There are several in each of the southern collieries.

953. I believe it is almost matter of necessity to employ children about mines—that the kind of labour necessary to be performed can be better performed by children than by grown persons? Yes, more economically performed. The work is just suitable for youths, and of course they are not paid so much as men.

954. Do you know whether any of them live continuously underground? No, they do not.

955. The horses do? In some of the pits in Newcastle they do, but not in the southern collieries.

956. They are stabled there? Yes.

957. Have you ever visited the collieries at Bowenfells and about there? Yes.

958. Do you know Mr. Thomas Brown's colliery? Yes.

959. Do you know whether he has established a school there at his own expense? I know it was so reported—a Denominational School in connection with the Presbyterian body—as to that I do not speak positively.

960. Could you furnish the Committee with the approximate number of children and their ages employed in the different mines? I have not the material for such a return. It would involve a considerable amount of labour to collect it.

961. *Mr. Dangar.*] How often do you go round? According to circumstances. I suppose I visit each mine about every two months, sometimes oftener.

962. *Mr. Farnell.*] You are the only Coal Inspector? Yes.

963. There is an Examiner of Coal Fields? Yes.

964. Does he ever examine into the working of the mines? Very seldom I think.

965. Do you know whether any of the miners put their children apprentice to any trade? Some of them have done so.

966. As a general rule, are they employed in the mines? Yes, that is the rule. When they become old enough they follow the same pursuit as their fathers'.

967. *Mr. Dangar.*] Do all the boys employed in the mines ultimately become coal-miners? As a rule they become coal-miners, or follow other occupations in connection with the collieries. The larger majority become actual hewers of coal.

968. *Mr. Farnell.*] It requires some technical knowledge, does it not, to become a coal-miner? Yes.

969. Any ordinary labouring man, I suppose, could not go into a mine to mine for coal? He could not go into a mine and do the work of a miner, with due regard to his own safety, unless he had been trained to it. In fact I have known several accidents to happen even to experienced miners, who have been deceived as to symptoms miners generally rely upon.

970. *Mr. Dangar.*] Their occupation does not involve much danger to the boys employed in the way you have stated? Not if they are careful. Accidents to boys are rare.

971. There is a remarkable absence of fire-damp in all these Newcastle collieries? The rule is the absence of fire-damp, but we have had some few accidents from it at Wallsend.

972. *Mr. Jacob.*] Are you of opinion that out-door exercise is necessary for the physical development of these young people? I could not say it is absolutely necessary.
973. Is the exercise they have sufficient? They get enough of physical exercise.
974. If they were to attend night-schools that would curtail their exercise in the evenings;—do you think that would affect their health? No, I think not.
975. They have enough exercise in the work they do during the day, though it is underground? Yes, they have sufficient bodily exercise at their ordinary occupations.
976. *Chairman.*] At what age, as a rule, do they become hewers of coal? In one or two of their collieries the boys are allowed to go with their fathers' to hew coal at 14, 15, or 16; but in most of the collieries the managers will not allow them to do so until they are 18.
977. Could you give the Committee any idea of the amount a family will earn in the mines? When a miner gets a fair day's work he earns from 10s. to 12s. a day; but they do not get constant work.
978. *Mr. Farnell.*] Are they not employed constantly now? They are not.
979. Is there not a great demand for coal? Not sufficient to meet the supply.
980. *Chairman.*] I suppose the example of the dissipation of the youths over 15 is constantly before the younger ones? Yes.
981. The younger ones no doubt look forward to the day when they will be able to join in the same kind of life? Yes, I will not say it is their chief ambition, but it is a large portion of it.
982. Is the supply of young persons equal to the demand? Yes, I believe the employers do not suffer inconvenience from that, but they do sometimes complain.
983. Of the want of labour of that description? Yes.
984. *Mr. Farnell.*] Do coal-miners generally have large families? Yes, many of them.
985. Generally they have large families? Yes.
986. *Chairman.*] Supposing proprietors were allowed only to employ young persons that could read and write, do you think they would not keep up their knowledge without special inducement—that even if all could read and write when they first went into the mine they would soon lose their knowledge unless some inducement were held out to them to keep it up? I believe they must retrograde unless some inducement is held out to them.
987. Would the employment itself have that tendency? The employment in connection with the habits and practices of the youths generally would have that effect.

T. Lewis, Esq.
29 Mar., 1876.

THURSDAY, 4 MAY, 1876.

Present:—

MR. H. C. DANGAR, | MR. JACOB,
MR. F. B. SUTTOR.

WILLIAM H. SUTTOR, JUNR., ESQ., IN THE CHAIR.

Captain James Seton Veitch Mein examined:—

988. *Chairman.*] You are Superintendent of the "Vernon"? Yes.
989. Are there many lads on board that vessel now? 118.
990. Have you many under 14 years of age? A great number.
991. What is the age of the youngest? The youngest is between 3 and 4.
992. How is it that one so young as that is sent to you? We have had some younger than that sent to us—almost infants in arms. The law does not say how young they shall be, but they must be under 16 years of age.
993. I should have thought they should have been sent to the Destitute Children's Asylum? We have sometimes sent them on to Biloela, but we have had to obtain an order from the Colonial Secretary to do that.
994. From what class of society are these children drawn? Generally from the lowest class.
995. What is their educational status when they come to you? Most of them are without education; some of them have a little.
996. You begin to teach them when they come on board? Yes.
997. Are they tolerably apt at learning? Some are very clever; others are dull.
998. Are they allowed to leave the ship before they attain a certain standard of proficiency? The Act says they must be 12 years of age before they are apprenticed away from the ship, and they must have been twelve months on board the ship.
999. It is not necessary to reach any standard of educational proficiency? Education has nothing to do with it.
1000. I suppose some of the boys who are apprenticed do not receive much education on board? They receive it, but they do not gain much from their instruction. Some go away who cannot write, although they may read.
1001. Are they employed at different trades on board the vessel? Yes, at carpentering, tailoring, and shoemaking.
1002. How many hours are they employed at different trades? From four and a half to five hours. They do not work so long in winter as in summer.
1003. Under some regulation that is considered as much as they can endure? No; that is the time devoted to the learning a trade. The work of the ship has to be attended to, and the school also, and the day is divided to allow a certain portion of time to each.
1004. From your observation do you think they could work at a trade for ten or twelve hours a day and learn much at school afterwards? I should say not. I should be sorry to put them to work for ten hours a day.
1005. Do you think it would be almost folly to attempt to teach them in school after they had been at work all day? I should think so; I think they would require rest after ten hours work. Of course if they had a less number of hours work they could then attend school afterwards.
1006. Suppose it were a regulation on board the "Vernon" that the children should be employed from

Capt.
J. S. V. Mein.
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Capt. 6 o'clock in the morning to 6 o'clock at night, would it not be quite futile to attempt to educate them afterwards? I think it would be cruelty to put them to anything after that; I would rather give up my situation than try to do it.

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1007. Who are the persons who generally employ these children when they leave the "Vernon"? They are generally employed by farmers or squatters, or go to sea.

1008. They are not employed by manufacturers in Sydney? There are only two I think, so employed, and they are at a tweed manufactory close to the Parramatta Junction.

1009. Have you any reports from their employers as to how they turn out? Yes; every year I send circulars to all who have apprentices—some do not give replies, but the greater part do.

1010. How do they turn out as a rule? The majority turn out well.

1011. The employers are satisfied with them? Yes; of course there are some failures.

1012. Do these boys seem to have inherited any predisposition to vice or evil habits? Some of them do. If a boy is taken off the streets, sent to the "Vernon," and kept there only twelve months, it is hardly to be expected that he will be reclaimed.

1013. As a rule are they tractable and obedient? Yes, they are always obedient with us. For the first few weeks some of them will refuse to obey orders, but they always fall into the way after a little while. Some who are sent are imbecile, and of course they take longer to bring under management than others.

1014. The Committee will be glad to hear any suggestions you may have to make with reference to the employment of children throughout the country, as to their capability of performing labour for long hours, or any other point that may occur to you? Some masters behave very harshly to the boys placed with them. I have had a case lately at the Richmond River, where the master had allowed the boy's wages to accumulate until they amounted to £38, and then by his bad treatment caused the boy to run away. We sought to recover the boy's wages, but could not because it was beyond the time, namely, six months.

1015. *Mr. Jacob.*] Why cannot you recover after six months? I have sent cases before various Magistrates, and they have always returned that they had no jurisdiction after six months.

1016. It might be done in the District Court? That would require my attendance at the Court, and take me all over the country.

1017. As a general rule the boys are not apprenticed to trades but are sent to follow pastoral or agricultural occupations? Some have gone to trades, but as a general rule tradesmen will not take them. The demand for the boys in the country is very great; we have now two hundred applications.

1018. Would you consider that kind of occupation more favourable to their physical development than apprenticeship to a trade? I should think an agricultural life was the best.

1019. *Mr. F. B. Suttor.*] Are you allowed to apprentice the boys to tradesmen in the town? Yes, but we do not wish to apprentice them in the places to which they belong—for this reason, that the boys would be thrown among their old associates and might go back to their old habits.

1020. *Mr. Jacob.*] If an application is made to you for a boy to be apprenticed to any trade do you use any discretion as to whether the boy is suited to it, whether he has a physical fitness for it? It is the boy's choice, not mine. We never force boys to any occupation.

1021. Suppose they refuse to go to any? We have to keep them till they will. I have a boy at the present moment on board who has been away as an apprentice to a tailor; his master died, and having no home he came back to the ship as to his home; he refuses to go anywhere, and I cannot turn him on shore. He is a better tradesman than the tailor I have on board, and does more work.

1022. How long have you to keep him? He ought by rights to be on shore now.

1023. If he chose to remain on board for his life must you keep him? Certainly not, but I have found him so useful that I have not been anxious to get rid of him.

1024. Have you the power to turn him adrift at a certain age? Yes at 18 years they are discharged from the ship by the Colonial Secretary.

1025. *Chairman.*] How is the day's employment on board the "Vernon" divided? In the first place they have washing decks, cleaning the ship, and then washing themselves.

1026. How many hours does that take up? Not an hour—especially in winter, when we do not always wash decks as it is too cold for the boys. After they have washed they take their breakfasts—afterwards divisions and prayers—then they are told off in watches, one to school, the other to trades, and work in divisions or in watches. After breakfast half of them are sent to school and the other half to trades. In the middle of the day or at 12 o'clock they have their dinner, leaving off half an hour before to prepare their messes. At 1 o'clock the half who have been learning a trade go to school and the other half to work. At school or at work they remain until half past 3 o'clock in winter and until 4 in summer. They then clear up decks, hoist up the boats, and prepare everything for night.

1027. Are they allowed any kinds of amusement or games? They have their own games at the allotted time, an hour and a half at dinner and the same in the evening.

1028. I suppose their games are carried on under the surveillance of an officer of the ship? There is always an officer on deck.

1029. What games do they play at? I can hardly describe them; there are constantly some games going out and others coming in. Many of those which were in vogue when I was a boy have gone out, and others which I do not know are now practised. They hunt each other about the ship, leap over cannons, and when they go on shore play at cricket, croquet, and other games.

1030. How often are the boys allowed to go on shore? Not very often now, for although we are lying off Biloela they are not often allowed to land.

1031. Do you think they get exercise enough on board ship? They seem to be pretty tired when they go to bed, and sleep well enough; but I believe in landing them more frequently, and having a place where we can give them a drill. It is not desirable to coop them up too much on board ship; I suffer from it as well as they.

1032. I suppose there is no difficulty in taking care of them when they are landed? No, they are thoroughly under command. They were present at the laying of the stone of the Prince Alfred Hospital, and behaved themselves well.

1033. *Mr. Jacob.*] Why are they not more frequently landed;—do the regulations prohibit it? We can land them, but the reason we do not land them oftener at Cockatoo is, that the dock people have been finding fault with them, without cause as I think; and there is a little jealousy about the matter.

1034. *Mr. F. B. Suttor.*] I thought one object in the removal of the vessel off Biloela was that the boys might be employed on shore, and taught gardening? I do not know what was the object of the last removal.

removal. We had a garden there formerly, but it has gone to destruction; trees were planted, and a garden was fenced in at an expense of £200, but the trees were destroyed and the fence pulled down while the ship was away, and it now seems useless to attempt to do anything.

1035. *Chairman.*] As many of them are intended to be employed on farms is it not desirable that they should have a little exercise in a garden? No doubt spade exercise would be desirable; but sailors can generally use the spade, and so can these boys.

1036. *Mr. Jacob.*] Do you give the boys their choice of occupation on board the ship? Yes.

1037. If you find they are not adapted to one particular occupation do you choose another? Yes; if the master tradesman says,—“It is no use keeping this boy here wasting property and doing himself no good,” we take him from that employment and put him to some other; we generally put the younger boys to trades because they remain longer with us, and put the elder boys to the work of the ship, which is more laborious.

1038. *Chairman.*] The boys who are sent here are not necessarily criminal? No, of course the infants have never done any harm.

1039. Are the elder ones? Chiefly.

1040. *Mr. Jacob.*] Do you stipulate with the employers when they take lads that they shall annually send reports of their conduct? No, but it is understood; and we always tell the boys if they have any complaints to make to write to me, and I never fail to answer their letters. I have frequently had to attend Police Courts and to summon masters for ill-treatment or for failure to pay wages.

1041. *Chairman.*] Are the boys apprenticed under certain conditions as to the amount of labour they shall perform? The indentures do not say anything about the amount of labour, but the boys are bound to obey their masters in all things; of course a fair amount of work is understood.

1042. *Mr. Jacob.*] Are the masters bound to teach the boys anything? Yes, their occupation or trade, to look after their morals, and to see that they go to their own church on Sunday.

1043. *Chairman.*] Are they bound to teach them or to send them to school? School is not mentioned; morals are mentioned; I think 12 is too young to apprentice them.

1044. What age would you suggest? 13 or 14 would be better; some of the boys are very small and not very strong.

ADDENDUM.

CHILDREN sent to agricultural labour should either have three years' schooling before they reach the age of 14 years, or then, if without education, be sent to school three hours during the heat of the day, thus: Attend to out-door work early in the morning, and in the afternoon until sunset; school from 11 a.m. until noon, then dinner; school again from 1 p.m. until 3 p.m. This would keep them out of the sun in the heat of the day, and prevent them from being either tired of their work or school; for nothing gives more pleasure to children than variation, which is also conducive to health. In Asiatic countries the children who assist in cultivation work in the morning and afternoon during the heat of the day they are always to be found in the village school, except at harvest time. This same routine, I think, is well adapted for our climate.

One of the most degrading occupations to the morals of children in this country is to permit them to go with carriers or teamsters on the road, where the chief thing inculcated into them besides swearing is to broach the loading and make away with it on the road.

Garden work fairly comes under the same category as agriculture. This work can all be well performed in the morning—the golden part of the day—and afternoon. The same is applicable to dairy work; the cows require morning and evening attendance, when mid-day can be used for school and rest. Stock-keeping is somewhat different, but work could be so arranged as to give schooling in slack times during the day, except when all hands are required at mustering and branding season.

Shepherding I am strongly of opinion no boy should be put to. All day in the bush with a dog and perhaps a man tending sheep, this work either makes them savages or imbeciles. If flocks of sheep must be tended without enclosures there should be relays, *i.e.*, one to take forenoon the other afternoon; when not employed with the sheep to work about the station and obtain other knowledge; then, if the school-work has been neglected it could be supplied when about the station or they sent for a couple of hours to the nearest Public School.

It may be said, why not attend night-school? For the simple reason at that time the energy of children who have been employed during the day will be so strained that school or anything else will become irksome and detestable. Of course we hear of a few now and again who have made their way in the world from night education; but how few. I with others tried the scheme in Sydney when we endeavoured to give employment to the idle boys about the city, in a porter and shoe-black brigade. It was another failure—so was the brigade—and we were compelled to come to the conclusion that there was not any poverty among what is popularly called the poorer class in this country; we found boys of this class willing to work could earn more in a day than the majority of clerks receive, and that their wish for learning at night extended only to playing practical jokes upon, and insulting their teacher, besides damaging property. Night is the reasonable and best time for the young to rest. If the day is so divided, work, learning, and pleasures can be gone through without any evil effect upon health.

Employment of children in manufactories: I think none should be permitted to enter one until they are 14 years of age, and can read, write, and cipher fairly; then the sexes should not be allowed to work together without a strict adult overlooking them, and the females to leave half an hour before the males; with these precautions all would be done that could be expected. The morals afterwards should be left to the clergymen of the different persuasions.

Employment for youngsters to the sea is at the lowest, and sailors are deteriorating from the want of being taught their profession properly. Formerly every ship was compelled to carry a certain number of apprentices according to tonnage, we then always had good sailors; but by the present law any person is put down as a hand to make up the number, although he may never have been to sea, and when called upon for duty is unable to do anything. If a storm arises the master finds he is helpless with his ship through not having efficient sailors on board; this I am confident is one cause of the number of wrecks.

It would be well for the youths of Sydney and the nation generally if some statesman would take the question up, so that we may have efficient sailors, not what they call “seamen,” to man our merchant ships; then, when called upon for an emergency in war, British sailors would be found in plenty to man the Navy. This I state from experience, for I find it one of the most difficult things to procure a moderately informed sailor, and have to put up with inferior men who have to learn after they join here, and when taught become saucy because they then find efficient men are in demand.

Employment of children in coal mines appears to me the last place that one should be sent to. If they must be so employed for the horses and light work they should be at least 16 years of age, that the sun and air may develop their strength, and have had three years schooling.

Before finishing these remarks I wish to direct your attention to the very easy manner in which applicants obtain recommendations for apprentices; for instance, take a storekeeper, who is a Justice of the Peace. One of his customers requires a lad, ascertains that it is requisite that he should have a recommendation; he proceeds to the storekeeper, who he deals with, obtains one strongly worded, and states he will fulfil all the necessary stipulations, not one of which does he contemplate to carry out unless that of work, never replies to circulars, and when the boy's time has nearly expired manages to get rid of him and his obligations to pay back wages at the same time. Others again turn them adrift at any time that suits their purpose; and I have a vivid recollection of one who was a Justice of the Peace and a professed doctor, who was near enough, besides working the lad all day, to make him do his washing and other house work—more adapted for women; fortunately this lad had sufficient sense to clear his own way, and is now travelling through the country doing well. To obviate the evils of masters not paying

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paying proper attention to their apprentices; I think an officer should be appointed with sufficient power to summon before the nearest Court, or else power should be given to the Police Magistrate of the district, to act for the Superintendent of the institution on behalf of the children, and see that they are fairly dealt with; by so doing a large amount of correspondence would be got rid of and the children have every chance of being fairly dealt with.

J. S. V. MEIN.

N.T.S. "Vernon," 8th May, 1876.

FRIDAY, 5 MAY, 1876.

Present:—

MR. CAMERON,
MR. FARNELL,

MR. JACOB,
MR. F. B. SUTTON.

WILLIAM H. SUTTON, JUNR., ESQ., IN THE CHAIR.

Arthur Renwick, Esq., M.D., examined:—

A. Renwick,
Esq., M.D.

5 May, 1876.

1045. *Chairman.*] You are a medical practitioner residing in Sydney? Yes.

1046. Have you, as a medical man, considered the effect of hard labour upon the human constitution? Necessarily as a medical man I must have considered the question, because occasionally we have to treat cases which are the direct consequence of hard labour re-acting on the constitution.

1047. The object of the Committee in requesting your attendance here is to learn from you your opinion as to the effect of hard labour upon the constitutions of young people—under 14 years of age? Just so.

1048. Supposing you were told that lads of from 9 to 14 years of age were kept at work from ten to twelve hours a day, with only two hours intermission for meals, and that, during the hours I have stated, they carried 6½ tons of clay out of a deep hole or pit, such as are worked by brickmakers, what would you say would be the effect of such work upon the constitutions of those lads? Of course it would ruin their constitutions in course of time. In other words the development of the muscular and bony system would be materially affected, the stature would be stunted, and the whole man to a certain extent be ruined. It would have the effect of preventing a lad so circumstanced from having the proper development of a naturally healthy man.

1049. And incapacitate him for labour when he became older? For the proper amount of labour that as a man, he should perform. There is one point I have not referred to in my reply, which would naturally suggest itself to a medical man, although it might not to an outsider or layman, which is this: that such exposure and such an extraordinary amount of labour must necessarily affect the organs in a diseased way; or, in other words, render the tendency to disease much greater than would be the case in other circumstances—that is to say, to those diseases called constitutional.

1050. What effect do you think those occupations which involve constant standing has upon children under 14 years of age where children are employed from 6 in the morning until 6 in the evening, with only two hours' intermission for meals? It could not be beneficial at all, but the extent of the evil would depend altogether upon whether the standing was a permanent standing or whether it was varied by progressive motion. If it were continued it would lay the foundation of varicose veins, but if it were varied it might not be so injurious in this respect.

1051. For instance, we have had evidence that lads are kept standing at a table for hours at the trade of bootmaking? It must be very prejudicial undoubtedly to stand at a table working for so many hours at boot and shoe making, as I have seen them.

1052. Do you know if working at a sewing-machine has an ill effect upon the health of young females? I have no doubt about it whatever. I have had an extensive practice in that class of cases, and I can state as a fact that a number of uterine diseases are the consequence of that cause, and of that alone; and hence many females have been compelled to give up the use of the sewing-machine—I mean the pedal machine. The working of the feet causes a congestion in the organs at the lower part of the abdomen, and this gives rise to uterine affections. Indeed, it is now a well-recognized fact that pedal sewing-machines are a fruitful source—a much more fruitful source than any other—of uterine diseases.

1053. Is that in the case of those who are not pregnant or who have never been so? I refer to young girls. Of course there are some pregnant women who use these machines up to a certain time, but in all cases they suffer more or less.

1054. *Mr. Farnell.*] That is from the continuous working of these machines from day to day? Yes, the continuous working, or what may be considered an excessive degree; for instance, the working for her household is more than sufficient to affect a married woman with a family, under ordinary circumstances, to cause her injury. In the case of a young girl, however, it would not have such a prejudicial effect as it would in that of a married woman. There are degrees in all these matters of course.

1055. *Chairman.*] If a large number of young women are compelled to earn their living by working at sewing-machines, is it not likely to have a prejudicial effect upon the health of the people in the future? Yes, these are the mothers of the future citizens of the country.

1056. Their health being affected by this kind of labour the health of their offspring would also be affected? Not so much the health of their offspring; but in many cases it would render them incapable of having any offspring at all.

1057. Have you ever considered the question of ventilation in reference to manufactories? I have in the course of my attendance upon large public institutions—not in connection with manufactories, but of course the principle is the same. In any case in large institutions for the sick, where you have a large number of people massed together, you require a much larger supply of air than where there are healthy people. So in manufactories, the inmates of which may be regarded as sick people.

1058. Is not there a special necessity for thorough ventilation here, arising from the peculiarity of our climate? That demands a larger supply and a more frequent change of air. I may state on the matter of ventilation that the system adopted in this House, and in several public institutions in this country, was adopted at the suggestion of Sir Edward Deas-Thomson, Canon Walsh, and myself—that is, the double-tube system of ventilation. The new system has been adopted to some extent in the adjoining institution as an improvement of Tobin's system.

1059. *Mr. Farnell.*] Do you refer to the system of ventilation adopted in the Legislative Assembly? Yes, the system has been partly adopted, as may be seen from the tin turrets on the roof. The Tobin system

system is different, though when properly considered it will be found that the principle is the same; the only difference is, that there is a double current in the one case and in the other a single one. One set of tubes admits the fresh air, the other allows the foul air to escape in the one case, while in the other provision is specially made only for the access of pure air.

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1060. Notwithstanding the efficiency of the system are you aware that the Legislative Assembly is very badly ventilated? It is not systematically ventilated. I should not like to be a sufferer from the numerous draughts of various kinds to which honorable Members are subject. But the rooms ventilated in the place I have mentioned, and in the way described, are much better than any other.

1061. *Chairman.*] Have you ever been through any tobacco factory in Sydney? Yes.

1062. Do you think that peculiar manufacture would have any deleterious effect upon the health of young people? I am quite sure both morally and physically it is very injurious to young people. I know as a fact that it is morally so, from cases that I could recite to you; and that it is physically bad I know also from cases that have come under my observation. There is one tobacco factory at the southern end of the city where boys and girls are massed together. Some time ago I was sent for to attend a girl who had fainted away in that factory; and the smell arising from so many persons, both male and female, congregated together, mingled with the tobacco fumes, was overpowering. The tobacco might to some extent be a deodorizer, but when mixed with these human exhalations it became almost unbearable. Since that time the factory to which I refer has been improved to some extent, but none the less is the massing together of large numbers of males and females in a confined space something terrible in its effects both morally and physically.

1063. Have you had much experience as to the physical results? Yes, many cases have come under my notice, and I believe these to be the results: that it stunts the growth of these children very much; that they attain manhood and maturity much sooner than they should; that they live too fast and die long before they should or would under ordinarily healthy conditions. I remember in particular one case of a child who was the offspring of parents such as I have described. That child died at the age of 9 years an old man—a perfectly old decrepid man; in fact, his faculties were utterly worn out.

1064. That was from being overworked as a child? No; he had never worked; but his parents had been overworked. He was born with constitutional weakness. When he was 3 or 4 years old he was partially paralyzed, when 5 or 6 he began to lose his vision, and when 8 or 9 he died away—an old man, with his faculties worn out.

1065. Such cases I presume are very rare? They are very rare in this country. The climate here is so superior to that of the mother country that such cases may be considered as phenomenal; but there, and especially in very large manufacturing towns, the prejudicial effect of manufacturing life upon the constitution is very apparent, and such cases, or cases of a somewhat similar character, are very numerous.

1066. *Mr. Farnell.*] Referring to those children who are employed in tobacco manufactories, and to those who have to labour in a standing position, what number of hours labour do you think they might be able to perform without any bad effect upon their constitution, supposing they had proper periods of intermission? I should not like to fix any exact time in regard to this matter, but I would suggest that if there were more frequent breaks in the hours of labour—suppose they had eight hours labour, and there were a break between the first four, and then again a second between the last four, in addition to that in the middle of the day—there would be a great difference in regard to the result and influence upon the health of the child.

1067. That is to say, that it would be better in these factories to shorten the hours of labour, and to have two sets of children instead of one working the present number of hours? Exactly.

1068. Have you noticed that in the tobacco manufactory there is a kind of humid heat—a moist heat? Yes.

1069. That is deleterious, is it not? Very deleterious, and gives rise to diseases I should expect to follow, such as consumption, affections of the lungs, and so on.

1070. Speaking of the morality of the children employed in these places, has it ever come under your knowledge or experience that they are diseased with syphilis? Yes.

1071. *Mr. Cameron.*] As the result of connection upon their own part, or inherited from their parents? Diseased with what we call gonorrhœa and syphilis, from cohabitation with females—the boys (say) with women of the town, and the girls from intercourse with the boys. I am speaking now in a general way. I have not met with a large number of such cases, but I have seen a few.

1072. *Mr. F. B. Suttor.*] From your experience as a medical man you believe that the congregation together of a large number of young persons of both sexes in these manufactories is injurious to them physically? I believe it develops their precocity much more rapidly than any other circumstance could; the boys become men too soon, and the girls women too soon. That is a well-known fact in physiology. Dr. Carpenter, one of the best physiologists in England at the present time (as well as other physiologists), has entered fully into that matter in various papers, and has come to the conclusion that the influence of manufacturing life is not only deteriorating to the physical condition of the human being, but that it actually affects their moral life altogether.

1073. *Mr. Jacob.*] The mixing of the two sexes together? The mixing the sexes in that way.

1074. *Chairman.*] Do you know whether the employment of children in woollen manufactories has a bad effect upon their constitutions? I have no experience of woollen manufactories; I have never been in one.

1075. It has been stated in evidence by a gentleman who has a manufactory here in Sydney, that it is a most healthy occupation, from the fact that a large quantity of oil is used in the manufacture, and that this has a beneficial effect upon the constitution and physical development of the children employed? There is no doubt a considerable amount of truth in the theory; it is the same that used to be held with regard to butchers. In the medical treatment of persons affected by certain constitutional diseases we use oil, more particularly in the case of lung diseases. The absorbent glands take up nutriment for the body, but whether in the case of these children the quantity of oil taken in would be equivalent to the strength spent in so large a number of hours labour is a question that could only be determined by those who have seen the results. It is merely a question of equality.

1076. The oil is absorbed only through the hands? It must also be carried in the steam and so inhaled and taken into the system.

1077. *Mr. Farnell.*] Could you give us any idea what amount of working with the sewing-machine per day or per week would be likely to have a bad effect upon the health of females? I could not do that, because the determination of the question would be affected by various considerations, such as the physical strength

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strength of the woman; next by her age, whether married or single, whether pregnant or the reverse. All these would affect the decision of the question more or less; but I have no hesitation in saying that since sewing-machines have been introduced—and it is a fact well known by the medical profession—uterine diseases of different kinds have vastly increased.

1078. And the effect of uterine disease is to create or bring about barrenness? That is one of the effects, but there are other very serious effects produced on the constitution; in some cases it causes malposition of the womb, constipation of the bowels, leucorrhœa, and general weakness. The latter class of cases is curable and requires only absence from the cause and proper treatment to effect a restoration. There are other affections of the womb which may or may not be attended by it, but the great cause of barrenness is from the malposition of the womb.

1079. Of course that becomes chronic if not arrested? Yes, and the longer the occupation is pursued which causes it the more irremediable it becomes. I have known cases of every kind of disease I have mentioned attributable to this cause.

1080. The effect upon females of the general use of the sewing-machine would be that we should have persons born into the world who, when they became old enough to be mothers, would have their constitutions so weakened that they would not be able to bear children? I should not like to put it exactly in that way, because it is impossible that the whole female population would take to working with sewing-machines. Indeed, most ladies now-a-days use hand machines; it is only where great strength is needed, where heavy needles are used, and strong linen, leather, or other material is worked, that the foot machine is used—unless where there is a belief that a greater amount of work can be performed, as is no doubt the fact, that the foot machine is preferred. It is therefore hardly a general question but one which affects only certain classes who use this machine for a livelihood. I have no hesitation in saying that the use of the treadle sewing-machine has an injurious effect upon the constitution of those who employ it; but I should not like to express an opinion with reference to their progeny, seeing that it is only a recent invention, and that there has not been sufficient time to observe the results in that respect.

1081. *Mr. F. B. Suttor.*] Do you find the girls often complain of the effects produced by the use of these machines? Undoubtedly.

1082. They have not done so to us at the factories we have visited when we have made the inquiry? It may be so. A girl would not complain until she had something to complain of, and when she had she would seek the advice of a medical man. Besides, from the peculiar nature of the complaint she would be unwilling to speak of it; if there were anything wrong with the uterus she would never tell it to a stranger. That would explain that point to some extent. I have had a good deal of experience in every class of cases, and that is how I explain the apparent disagreement between the silence of the girls you have interrogated and my statement.

1083. Do you think there are many children under the age of 14 employed in working at these sewing-machines? So far as I am able to speak from my own observation I should say there are not many girls under 15 or 16. Still, at any age I consider it injurious; and the fact I have mentioned, that so many ladies now use hand-machines in preference to foot machines, goes far I think to show that they are becoming conscious of the injurious effects of the former.

1084. I suppose their medical advisers always recommend the use of the hand machine? Of course.

1085. *Mr. Jacob.*] Has the continued use of this machine in itself any morally injurious effect upon females? Only in certain cases which may be considered exceptional. There are certain cases in which the use of the machine as a physical act may produce an unhealthy excitement; but these are exceptional, and it might be produced by other causes.

1086. *Mr. Cameron.*] Having to visit these people in their homes, have you ever been struck with their mode of home life? I never visit them—they always come to me. I have attended a great number of people at their own homes, who have suffered from uterine diseases arising from other causes.

1087. Would you think that the effect of steam in these large factories where a number of lads and lasses were crowded together would be injurious? I don't think it would be beneficial to any one to inhale the steam in such places, because the steam must be foul. The insensible perspiration from the bodies is seized hold of by and mingles with the steam, and this is absorbed by the lungs with great facility. The lungs indeed absorb it even with greater facility than would a wound. What is thrown off from the body under such circumstances is different from what is thrown off in the open air. The skin acts as the great thrower off of the excreta of the body to a great extent, and this excreta being confined and mixed with the air of the factory is reabsorbed by the lungs and returned to the blood, which must affect the constitution and degenerate the body.

1088. Apart from the humidity of the atmosphere in which they work do you think the hours of labour for young persons in these tobacco manufactories, namely, from 6 in the morning until 6 in the evening, are too long? I am decidedly of that opinion.

1089. Even eight hours would be quite enough? Yes, growing boys require exercise—but very different from this laborious exercise—for the development of their physical and moral powers; and as I have already said, this kind of occupation makes them sharp and precocious in things of which they should be ignorant, and physically deteriorates them in many ways.

1090. Do you know if these lads as a rule suffer in their health from the early use of tobacco? Yes, I have seen that occur from the abuse of it in early life, and I have also known cases of fever resulting from the inhalation of the steam poisoned in the way I have already described.

1091. *Chairman.*] At what age do you think lads and girls might be fairly employed in these manufactories? I think after the period of puberty—not sooner.

1092. In this Colony that would be early? It varies from 12 to 15; we have earlier cases. I have known women pregnant at 14; but still as a rule the period is as I have stated.

1093. I suppose they might be occupied in lighter labour at an earlier period than that? Yes, at anything light, or if the labour were diversified, as suggested by Mr. Farnell—or, in other words, so long as they have breaks at frequent intervals and relays of hands.

1094. Do you think children, after having been employed from ten to twelve hours, would be capable of learning anything that would tend to the development of their mind? They might go through it undoubtedly, but not with the same ability as if they had fewer hours of labour. There is a very intimate connection between the mental and physical powers in man.

1095. Of course the physical powers are prostrated by long hours of labour? Undoubtedly.

WEDNESDAY, 10 MAY, 1876.

Present:—

MR. H. C. DANGAR, | MR. FARNELL,
MR. JACOB.

WILLIAM H. SUTTON, JUNR., ESQ., IN THE CHAIR.

The Committee having assembled in the Committee room, proceeded to the "Vernon," where they were received by Captain Mein, and conducted by him over the vessel.

At the time of the Committee's visit the lads were chiefly engaged in furling sails and performing other duties in connection with the ship. Three were employed by the carpenter, fifteen were under instruction with the tailor, twenty with the shoemaker, and about thirty were in the school.

Captain Mein stated that since the establishment of this institution 367 boys had been sent out as apprentices, chiefly into the country, as agricultural, or pastoral, or general servants; but that there was an indisposition on the part of tradesmen to take them as apprentices, even in those trades to which they had been in some measure trained, because it involved providing them with home accommodation.

THURSDAY, 18 MAY, 1876.

Present:—

MR. FARNELL, | MR. JACOB,
MR. F. B. SUTTON.

WILLIAM H. SUTTON, JUNR., ESQ., IN THE CHAIR.

Mrs. Ann Kendall examined:—

1096. *Chairman.*] You are Matron of the School of Industry? Yes.
1097. Where is the School of Industry now? In Darlinghurst Road or Victoria-street—it faces both.
1098. Under whose direction is it? A Committee of Ladies.
1099. It is in connection with the Church of England, is it not? Yes.
1100. Have you many children there now? Fifty-five. It is not a Government institution.
1101. Does it receive no assistance from Government at all? Not any.
1102. It is supported by private contributions? Yes.
1103. From what class of people are the children who find their way there? Very respectable indeed—far above the destitute children at Randwick—some of them are children who have been very well brought up.
1104. It is more than in the nature of a boarding-school for young children? No, they are brought up for domestic servants. They do the work of the institution themselves; there are no servants kept.
1105. Is there any arrangement made with the parents? No; we apprentice them at the age of 14, unless their parents pay for them, and then they can take them out whenever they think proper.
1106. I suppose they find their way pretty well all over the country? There are a great many sent up the country; we do not send them out of the Colony at all.
1107. Do any of them find their way into manufactories? No.
1108. They are not apprenticed to any of the manufactories? No.
1109. For what term are they apprenticed? For four years—from 14 to 18.
1110. In the school of course they are educated? Yes.
1111. Do they turn out well as a rule? As a rule very well indeed.
1112. Are any conditions implied in the indentures of apprenticeship? Yes, that the persons to whom they are apprenticed shall teach them everything they can teach them in a private house—that they shall be looked after, clothed, and fed. They do not get any wages for the four years they are apprenticed, but in most cases, I think, something is given to them.
1113. That rests entirely with their employers? Yes, with their masters or mistresses.
1114. Are there any conditions imposed as to the nature of the employment? No.
1115. You apprentice none under 14? No, we do not consider them of much use under that age, as they are generally not strong enough.
1116. Is it your opinion as the result of your experience that young persons under 14 years of age should not be employed in anything of that kind? That is my opinion—I have been eighteen years in the school, and have had a little experience of children.
1117. You think in fact they are not fitted for arduous work until they have reached that age? I do; we sometimes have to keep them until they are 15, because, having a large number of young children, we have a great deal of work in the institution which only the elder girls can perform. When they are kept in the institution until they are 15 they have one year less to be apprenticed. All the work of the school is performed by them, baking, laundry-work, and so forth.
1118. What is the youngest age at which a child is admitted? We do not take them in until they are five; from 5 to 8.
1119. I suppose they are always uneducated before they come in? As a rule they are. Mornings are devoted to education, and afternoons to plain needlework.
1120. *Mr. Farnell.*] Who are the parents of these children;—are they tradesmen or labourers? Most of them, but many have no parents at all. In some few cases the father pays £10 for their education and board, when he can take them away at any time he thinks proper.
1121. Have you any children there who have both father and mother living? A few—not many.
1122. What is the rule of their admission? They have to be recommended by the minister of the Church of England in the place to which they belong, as poor deserving people, and they are then taken in upon the foundation: that is, free.
1123. These children are not apprenticed out to any person who may apply? No.
1124. They must be apprenticed to members of the Church of England? Yes, I think so; as a rule they are all sent to those who belong to the Church of England.

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A. Kendall.
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- Mrs. A. Kendall. 1125. Have you ever heard of the after-life of these girls who have been apprenticed out, after they have served their apprenticeship? Yes, often. If they are apprenticed up the country I always communicate with them, and if they are in town they come to see me or I go to see them. I think it is well to keep up a communication with them, as sometimes they have no friends.
1126. After they have served their apprenticeship do they generally go into situations or get married? Many marry—lately five or six have been married.
1127. You do not receive any males into your school? No, all girls.
1128. You say they are employed in the afternoon at needlework? Yes.
1129. Do you use the sewing-machine? No.
1130. It is all done by hand-work? By hand-work; we take in needlework from the public, but there is not much done; it is more to teach them how to work than for the quantity they do. Most of this work is done by the elder girls, and they have other duties to perform, such as cooking and laundry-work.
1131. Are the children generally healthy? Yes, we make sure of that, because we have them examined by the doctor before they are admitted. We have scarcely had any sickness in the institution; in fact we have been almost free from it for the last seven years.
1132. Do you get any children from the country? Yes, we have had five or six lately—some from Queanbeyan.
1133. Do you get more from the country than from the town? I think so; as a rule I should prefer town children.
1134. Do the parents of these children often make inquiries in reference to them? Yes, we have regular visiting days, and at any time when their friends come from the country they can see them.
1135. Mr. F. B. Suttor.] I suppose the principal object of the institution is to train them as domestic servants? Yes.
1136. And you endeavour during the time they are in the institution to qualify them as well as you can for their probable future life? Yes.
1137. They do all the work of the institution? Yes, everything.
1138. I suppose you have not many of the modern appliances for lessening labour, such as washing-machines? Nothing of the kind; everything is done by hand. I do not believe in these kind of things in an institution for training young children for domestic service, because they would find them in very few houses, and they would then be quite lost if they had not the things to which they had been accustomed in school.
1139. You do not think it desirable such appliances should be used in an institution like yours? No, I do not.
1140. I understood you to say that some of the parents pay the whole cost of their children? No, they pay £10 a year, but that does not cover the whole cost. I think last year the expenses were something under £11 for each child, and that is very low as they are thoroughly provided with everything.
1141. A person paying £10 has the control of his child? Yes, he can take her out whenever he thinks proper.
1142. You say you prefer town to country children? Yes, I have found them much better to train, that is where I have had them very young—I would rather take a child of 5 than of 8.
1143. Do you prefer the town children because they are more amenable to discipline? Yes, they are so wild from the country.
1144. Mr. Jacob.] Do you mean by "wild" viciously wild? No, they have been in the habit of running about so much—that is what I mean.
1145. I should think a town child would be more likely to be viciously wild? That would depend upon how it had been trained.
1146. Chairman.] I suppose you would not receive the children of parents of known immoral character? No, we would not; we try to keep the institution free from such characters.
1147. Is there a great demand for apprentices? Yes, very great; I have now, I think, twenty-three subscribers waiting for them, and could not possibly send out one for eighteen months.
1148. Have you any means of carrying out supervision after they leave the school? None, except by seeing them occasionally as often as we can.
1149. Have you had any complaints from any of them of having been over-worked? No, we have very good accounts from them. A great deal depends upon the persons with whom you place them. Those who take them are generally very well contented with them.
1150. Mr. Farnell.] Do you apprentice them to others than subscribers? No, they must become subscribers before they have a girl.
1151. Chairman.] Not necessarily annual subscribers? For two years previously, and then they are supposed to subscribe during the time of the girl's apprenticeship; that helps to support the school.
1152. Mr. Farnell.] What is the sum per annum? A guinea; some give more.
1153. Is the school well supported? Moderately—not too well.
1154. You have to hold a ball once a year to supplement the subscriptions? Yes.

[Mr. John Matthew May examined:—

- Mr. J. M. May. 1155. Chairman.] You are Superintendent of the Randwick Destitute Children's Asylum? I am.
1156. Are there many children in the Asylum now? About 600.
1157. Of both sexes? Of both sexes.
1158. Are they equally divided? Pretty fairly; rather more boys than girls.
1159. At what age do you admit them to the Asylum? From 4 years of age.
1160. What becomes of the older ones? They are apprenticed when they arrive at the age of 13 or over 12, if they are mentally and physically up to standard.
1161. Who are the judges of their capability? The medical officer and myself; the medical officer as to their physical condition, and I, upon the reports I obtain from the schoolmaster and schoolmistress, and upon my personal observation as to their mental —
1162. Who is the present medical officer of the institution? Dr. Nott is the visiting medical officer.
1163. Of course he takes into consideration the nature of the occupation to which they are to be apprenticed?

ticed? Yes; I always see what trades and professions are open to them, but a very large majority go into the country as agricultural servants. Three-fourths of the applications are from the country. Mr. J. M. May.

1164. Are any of them taken by manufacturers in Sydney? There have been two or three instances—two were apprenticed to a German named Liebentritt, a drain-pipe maker, near Ashfield. 18 May, 1876.

1165. Would there be any objection to apprentice boys to trades? In Sydney and the suburbs our boys are not apprenticed, excepting under special circumstances, in consequence of their parents and friends living round about Sydney. Three-fourths of our children are from Sydney and the suburbs, and when parents or friends find out where they are apprenticed they often strive to unsettle them and induce them to leave their employment.

1166. I suppose you do not object to apprentice to occupations in Sydney boys who come from the country? As a general rule the boys are not apprenticed in Sydney or its suburbs.

1167. Are there any conditions at all imposed by the indentures upon the employers? Yes; the children receive a regular amount of wages—so much per week.

1168. As to the nature of the employment? It is stated in the indentures—a printed form of application is sent in, which states the nature of the employment and other particulars, and this has to be certified to by a clergyman or magistrate in the district. These applications are brought before me, and I endeavour to allot a child suitable for the employment stated in the application.

1169. Is care taken that the children are not overworked by their employers? The collector occasionally has an opportunity of visiting them when in the country districts to ascertain how they are getting on, and the clergyman who recommends the application also guarantees that he will visit and report to the directors the condition of the child.

1170. Is it part of the duty of the collector to visit the children? When he is visiting a district he is directed to make that one of his objects, to see any children from the Asylum who may be in the district, to speak to them, and to report specially upon each case he visits.

1171. About what age, as a rule, do you think children are able to bear anything like a laborious occupation? I think children from 10 years of age are able to bear light work suitable to their age; in fact we find with us that the children are always pleased to be set to work, and to withhold them from going to work in the field or garden is regarded by them almost as a punishment. From 10 years of age with us they are employed on alternate weeks.

1172. How long are they employed each day? From 9 till 12, and then from 2 till 4—five hours a day.

1173. How many hours have they to attend school a day? On the weeks they have to labour they do not attend school. Those boys only are taken who are up to a certain standard in the primary school. The boys in the primary school are divided into two divisions—the first from 9 or 10 to 12, and the second from 7 to 10; the boys from 7 to 10 are not taken for labour.

1174. They are not employed at labour until they have attained a certain educational efficiency? Not only so, but we have frequently children coming into the Institution who are perfectly destitute of all learning—boys of 9 or 10 years of age—excepting learning of a nature it would be better they did not possess.

1175. Children of that description do not go out to labour? No, they go into the infant class as infants until they work themselves up; they attend regularly at school, and it is astonishing how quickly boys, who, when they enter the school scarcely know their letters, work themselves up to a very fair position, particularly in mechanical work, such as writing.

1176. Have any of your boys been apprenticed as coal-miners? No.

1177. Any to brick-making? Only the two or three boys I have referred to, who were apprenticed to the German at Ashfield.

1178. Do the lads as a rule turn out pretty well? Very well indeed—the larger proportion. There are many now who are applying for their gratuities, having completed their six years apprenticeship. At the termination of their indentures, upon production of a certificate from their late employer that they have conducted themselves well during their apprenticeship, they receive a gratuity from a special fund called the "Cuthill Gratuity Fund," of £4 in addition to their wages, which amounts in the aggregate to four or five and twenty pounds. A portion of their wages they receive as pocket money during their apprenticeship. This money is paid to them monthly or quarterly.

1179. Are they encouraged to correspond with the officers of the Institution after they leave? Yes, I have constant communications addressed to me from those that have left; indeed the correspondence at times is very heavy; and the children seem to be attached to the "old school," as they term it.

1180. Of course that correspondence is entirely left to themselves? It is entirely.

1181. They do as a rule correspond with you very considerably? Very frequently. Before the Commission of Inquiry I handed in nearly a hundred letters of recent date that I had received.

1182. Do any of them complain of the treatment they receive from their employers? Very rarely indeed; if they did it would be inquired into. They generally write as being happy, and thanking me for the good position I have placed them in.

1183. In the case of the young children taken into the school, say children of 4 years old, are they pressed forward in their education? They seldom know their letters; when admitted into the school they are deplorably ignorant.

1184. I suppose care is taken even in school that the children should not be overworked in that direction? The hours of attendance in the school are such that it is scarcely possible they should be overworked; besides they have frequent changes in their work; sometimes they have object lessons, sometimes reading, at others writing or rehearsing. This is especially the case in the infant school, where the children are placed between the ages of 4 and 7. Even at the latter age they are not removed to the primary school unless they are up to the standard, which is certified to by the schoolmaster. In the primary school there are three classes; in fact the whole school is conducted on the same principle as the National Schools of the Colony.

1185. It has been suggested that a better system than that of massing so many children together would be to farm them out, as it has been called, to different persons;—have you considered that? I think if you could get persons of character in suitable positions to take them it would be a good system, but the question is whether in this country you could do so.

1186. Do you know whether it has been carried out successfully in South Australia, where it has been tried? Adelaide is very different from Sydney. It has also been tried in Melbourne, but I question whether it has been a success.

Mr. J. M. May. 1187. What kind of population do you think is necessary, in order that a system of that kind might be carried out with success? I think places like Parramatta or Windsor farming districts, where the people seem to be more stationary, would be more suitable than the neighbourhood of Sydney, where the people are constantly moving about and migrating.

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1188. Do you not think a system of that kind could be successfully carried out only in a district where there was a comparatively dense population, where the children could be under good supervision? They would have to be visited by some official very frequently. The great difficulty even now is in keeping the parents or friends from knowing where the children are placed, as when they arrive at a certain age, and are about to be apprenticed, we have innumerable applications to know where the children are, with the view of obtaining the benefit of their services; and I think the difficulty of finding out where the children are apprenticed has prevented many applications from being made for admission into the Institution.

1189. Do you ever apprentice the children to their own parents? No, but the parents often desire to know where the children have gone, in order that they might disturb them in their situations, make them dissatisfied, and ultimately get them to themselves.

1190. So that they might get the earnings of their own children? Yes.

1191. From your observation do you think the massing of children together in a large Institution like this has a good effect? I think it is a very great mistake to have such large Institutions. You would have a much better knowledge of the children if they were collected in smaller numbers—would get at their individual characters and dispositions, which is almost impossible where you have, as has been the case with us, nearly 900 children.

1192. I suppose with you a child becomes reduced almost to a mere number? It is not so much that. I know them almost all by name, but it is only by constant mixing with and observing them that you can learn their individuality and disposition.

1193. Mr. Farnell.] How is the Randwick Institution supported? By private subscription, subsidized by Government.

1194. What law is it that empowers you to apprentice these children? Under the Constitutional Act that governs the Institution.

1195. Is there a special Act for the Randwick Asylum? Yes, there is the Act of Incorporation which specially provides for the apprenticing of the children and retaining them after the parents have surrendered them. The directors have full legal control of the children when once they have been surrendered.

1196. They possess that power under the law? Yes.

1197. How many children are there out as apprentices? Some six or seven hundred.

1198. Are these children distributed over different parts of the Colony? Yes, north, south, and west, up to the very borders.

1199. I presume you have charge of the Institution? I have the immediate charge of the Institution.

1200. How do you ascertain whether these indentures are being carried out? Every quarter an account is sent to the employer of the amount of wages due by him to his apprentice; this amount is deposited in our Institution, where we have a Savings' Bank, and when a sufficient sum has accumulated it is deposited in the Savings' Bank in Sydney to the credit of the trustees. If these remittances are not made in proper course further inquiry is made through the police authorities.

1201. That is as to the money; but I suppose there are other conditions under the indentures to be fulfilled? Yes, that the children shall be well treated, and the clergyman of the district who signs the application reports upon that.

1202. How often do they report? Very seldom.

1203. How many times have they reported in these 600 cases? I could not say.

1204. Half a dozen times? The clergyman is scarcely called upon to report unless there was some complaint made by the child to the Institution.

1205. Do the children thoroughly understand that they can complain to the Institution of any neglect or ill-treatment? Yes, on leaving the Institution each child is furnished with a small book of instructions in very simple language, telling them what to do in the event of their wishing to make any complaint, advising them to speak to their clergyman, frequently to write to the Committee, and to whom to address their letters.

1206. If you do not receive any complaint you regard things as going on rightly? Yes, if the remittances come in regularly. The master in forwarding the remittances generally speaks of the conduct of his apprentice. Masters rarely speak unfavourably of them—sometimes they do.

1207. You have said that you receive reports from the collector;—are those reports verbal or in writing? In writing. He sends in his report: "Arrived at such a place, visited such and such children," enumerating them, and on each case he makes a special report; mentions if he has seen the child in private, has conversed with him in private, and points out anything he may have noticed.

1208. Have you ever seen or heard anything of these children after they have served their apprenticeship? We generally see them all after they have served their apprenticeship; they return to the Institution for the purpose of receiving their gratuity.

1209. Take the case of a boy or young girl, say of 18 or 19, having served their apprenticeship, do you insist upon their coming to Sydney from perhaps four or five hundred miles in the interior to receive their gratuity? No, we do not insist upon their coming—it is optional with them; but generally they like to come. I frequent receive letters from them stating that they are quite calculating upon the time when they can come down to see the old school. It is looked forward to by them as a red letter day.

1210. Have you ever noticed what has become of those boys in years after—have you traced many of them? Yes, and I am frequently receiving letters from them from all parts.

1211. As to the girls, have you also been able to follow their subsequent course? Yes; some few have married, and some have got into the best services in town.

1212. What is the nature of the domestic work in your Institution? The children do the whole of the work of the Institution, directed by the attendants—cleaning the dormitories, making beds, cleaning windows, plates, dishes, arranging the dining-room table, doing the laundry-work; a number are employed daily at these various duties, and are changed weekly.

1213. Do you do any washing for the public? No, we have as much as we can get through, particularly in weather like this, when we have not the means of drying as much clothing as we can wash.

1214. Do you use in the Institution any labour-saving appliances? Yes; we have one large washing-machine for washing heavy materials, such as blankets, moleskin clothing, &c. Mr. J. M. May.

1215. Are the girls taught to sew? Yes; every article of clothing is made in the Institution.

1216. Have you any sewing-machines? Yes, we have a few.

1217. Do the girls use them? They are taught.

1218. Have you ever made inquiry as to whether their use is injurious to them? They do not use them long enough, not more than an hour in a day. But most of our machine work is done by women—some special sempstresses who are kept in the Institution, who cut out and prepare the work for hand sewing, and they use the machines; but I have not found that they have suffered any injurious effects, and there are some who have been employed 10 or 12 years in the Institution.

1219. Are they treadle or hand machines? Treadle.

1220. Perhaps you have not given much attention to the subject as to whether they are injurious to females or not? Possibly not; I should imagine that they were from the position in which females working them are compelled to sit, and the constant working of one portion of the body.

1221. You are not aware that they cause uterine diseases? No.

1222. Did you never ask the opinion of the medical man who attends the Institution? No; very few of our children use them. I am speaking more of adults than of the children.

1223. How are the boys employed there? In the kitchen and bakehouse, in shoemaking, carpentering, in the garden and farm, and in milking—we have thirty milch cows, and these have all to be milked by the boys—with the assistance of one man they do all the work.

1224. What is the character of the class of children you get, physically or otherwise? Physically they are very fair, but the large majority of them are the offspring of parents of the most abandoned and dissolute habits, and it is a long time before you see any symptoms of the eradication of what they have learned.

1225. What is the average mortality of the children in the Asylum? It has been very low, taking a number of years. One or two years we have been visited by epidemics. Seven or eight years ago the mortality was large; last year we had only two deaths—the year before about the same. Generally it is very low, and does not average 1 per cent. upon the whole.

1226. I think you said the system of education adopted in the school was the present Public School system? Yes.

1227. How many children are in one school? There are three schools, and they are very nearly equal in numbers. The infant school, and the primary boys and girls school there are rather more in the boys than in the girls' school.

1228. Are the teachers employed there certified by the Council of Education? When we can get them; the schoolmaster and schoolmistress are certified teachers.

1229. Is the school inspected by the Inspector of the Council of Education? Not regularly; they cannot always attend.

1230. Then it is not a school certified under the Council of Education? No; last year when we applied for the inspector to attend the examinations he could not be spared. In that case the chaplain attended with myself.

1231. What means have you of giving religious instruction? There is ample provision made, and prayers are read morning and evening in the school.

1232. That is not the Public School system? Not in that particular. Friday afternoon is set apart entirely for religious instruction by the chaplains of both denominations, who visit at the same time. The Protestant boys occupy one school and the Roman Catholics the other.

1233. Who reads prayers in the school? One of the teachers—mornings and afternoons.

1234. Are the prayers read before the whole of the children? Yes, and on getting up in the morning and before retiring to rest at night, the children all kneel down for a short time at their beds and repeat the prayers they have been taught. On Sunday afternoon also there is Sunday-school held for religious instruction, and Divine Service is held by the respective chaplains once during the day. The elder children of both denominations attend their respective churches—the Roman Catholics at Waverley, and the Protestants at St. Jude's at Randwick. Only the elder boys and girls do this on account of the distance and of the insufficient accommodation of the churches. Those not attending church are assembled for prayers in the Institution by the chaplains.

1235. You have had a large experience among children;—what is your opinion of the age which children should attain before being employed in manual labour? I think children might be well employed at 10, particularly in work that was not laborious. I think it is a great mistake to keep children unemployed or too long at school, especially children of the class who will have to earn their living by manual labour.

1236. The object of the school is to teach children to earn their living, as well as to give them a school education? Yes; some of the children after leaving the school find themselves in a better position than they, or those who placed them there, could have expected to be. Several of them have been apprenticed to printers and proprietors of newspapers, and I weekly receive four or five newspapers from boys who have been apprenticed in different parts of the country.

1237. Are they apprenticed as compositors? Yes; there are two boys apprenticed to a newspaper proprietor at Grafton at the present time.

1238. *Mr. F. B. Suttor.*] Is the Protestant chaplain a clergyman of the Church of England? Yes.

1239. Does he instruct all the Protestant children? Yes; the children are classified into only two denominations, Protestant and Roman Catholic.

1240. Are these chaplains regularly appointed? Yes, and receive stipends.

1241. Is the school open to other Protestant clergymen—dissenting clergymen? No; if any dissenting clergyman applied to me to visit the school, I should have to refer the application to the house committee; the chaplains are appointed by the house committee—and no one can visit the children but with the authority of that committee.

1242. Have dissenting clergymen at any time applied? No.

1243. I think you say that at the end of their apprenticeship these boys are paid the sum of money which is due to them? Yes.

1244. Do you not think it would be desirable that a portion of this money should be retained in the hands of the Institution for a longer period? I have suggested that, but it has been found that we could not legally do so.

Mr. J. M. May. 1245. Do you not find that they speedily spend the greater portion of it? No, when they come before the House Committee to receive their money they get good advice on the subject, and I think I may say that nineteen out of twenty keep their money in the Bank, and return to the districts they have left, and in many cases to their late employers, or to others in the neighbourhood.

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1246. With regard to the inspection of the children during their apprenticeship, do you think it is desirable a Government inspector should be appointed for this purpose? I think it would be an advantage to have an official appointed for the purpose, whether by Government or otherwise, as the children could not be too frequently inspected, and it is scarcely possible for the collector, who has so large an area over which to travel, to visit any of them more frequently than once a year.

1247. You think it would be desirable then that an inspector should be appointed by Government, who might combine this with other duties? I think it would have a very good effect.

1248. I suppose many of these children, who are serving their apprenticeship in outlying districts, have never been inspected by the collector? I dare say some have not.

1249. I suppose the police perform that duty when called upon? We endeavour to get them to do so, but they do not like to interfere unless they have special instructions from the head of their department.

1250. Do you not think, that instead of keeping the children at school and at work on alternate weeks, it would be better to employ them on alternate days? I tried that plan, but alternate days seemed to upset the routine of the school so much that it was found to be better to have alternate weeks.

1251. With reference to the correspondence you have spoken of between the boys who have left the school and yourself—I suppose you answer the letters received by you from the boys? Invariably.

1252. You say that the boys do not frequently complain; do you think that is because they are happy, or because their letters are seen by their masters? I do not think the letters often pass through the master's hands. A case occurred lately where a boy wrote to me stating that his master wished to see his letters, and I advised him to write nothing in his letters which he would be ashamed of his master seeing, and that it was only proper his master should see the letters.

1253. Do you not think you would be more likely to get the direct truth from the boy if the master did not see the letter? Yes.

1254. With regard to some replies you made to questions by Mr. Farnell, is it not the fact that the greater part of the work of the Institution is done by the most complete and perfect appliances? Not by machinery.

1255. By steam? That merely saves the labour of having fires in boiling the water for cooking, washing, and bathing purposes.

1256. Is it at all likely that the girls who are employed in your establishment would have the same appliances when they went to service out of doors? I do not see that it would prevent their doing the work properly; they could put a log of wood on the fire or carry a bucket of water in one case as well as in the other.

1257. You think then that there is no great amount of difference between the appliances used by you and those used by people generally in the country? The appliances used by us are necessarily somewhat different. We have sometimes to wash for 800 persons, and we use the washing machines chiefly for heavy articles, such as dirty moleskin trousers, blankets, and other things, which the girls could not wash by hand, but in many cases the machine is used simply to loosen the dirt, and the clothes are washed by hand afterwards.

1258. You think that massing a large number of children together is a great mistake? Yes.

1259. I suppose the effect is that the children get into the habit of working almost like machines? I do not think that is the case. I think a great deal too much has been said of that.

1260. Have you ever heard it complained of the boys that although they do their work pretty well they do not go about it in a lively way, or as if they took any interest in their work? No.

1261. As if they were under a drill-master rather than as if they were desirous of performing their duty? I have not heard that complaint, and I know our boys are immensely eager for work. If it is known in the school that I want any work done I have a number of boys at once applying for it; I find them exceedingly willing to do anything I require. There is very little sullenness of disposition among them.

1262. With regard to the food supplied to these children, do you ever vary it at all? We vary it much as we can. For instance on one morning we give them for breakfast maize meal, next morning oatmeal, then again wheaten meal; then for dinner they have sometimes corned meat, at others fresh beef and mutton. This is boiled, and from it is obtained excellent soup. On one day in the week they have roast meat, and the reason it is not more frequently given is that we should thereby lose the soup. We have generally an abundance of all kinds of vegetables, cabbages, carrots, turnips, and potatoes, but lately our supply has not been so good, owing to the long continued dry weather. For tea they have milk and bread and treacle.

1263. Mr. Jacob.] I understood you to say that you allot the children to their different occupations? Under the instructions of the Committee.

1264. Do you not give the children their choice as to the occupations they will follow? If there were twenty children ready to be apprenticed, and twenty applications for them for different kinds of occupations, I would use my own judgment as to whether they were suited to go into a store, to learn a trade, or to be engaged as farm servants; then I would ask the boy "which would you prefer?"

1265. Do you judge from their physical appearance? Yes, and a great deal from what I know of the children.

1266. You say the children are not apprenticed to persons in town? No.

1267. Subsequently you said that some of the girls were in good situations in town? We do not apprentice either boys or girls in town; I referred to those who had served their apprenticeship.

1268. What is the danger you apprehend? That the parents or friends would obtain knowledge of where they were and unsettle them.

1269. They lose all legal control over the children, and would have no right to take them away? Yes, but formerly when it was allowed to apprentice them in town, and the children were taken from service in respectable families, we could not get the employers to prosecute.

1270. Have not you the power to prosecute? We have, and do so; but it is difficult to induce the employers to appear.

1271. Have you only one collector? Only one.

1272. In that capacity does he make inquiries with reference to the treatment of the children? Yes.

1273. He is bound to do it? Yes.

1274. How is he paid? So much per cent. upon his collections, and also by a fixed salary.
1275. He cannot make the tour of the Colony in one year? No, he will take the Northern and Western districts one year perhaps, and then the Southern the next.
1276. The clergymen who recommend the applications are understood to report? Yes.
1277. Have you had reports from them? Occasionally.
1278. Complaints? Occasionally.
1279. Have you had complaints from apprentices? Yes, but very rarely.
1280. If I understood you aright, in reply to a question by Mr. Suttor, you encourage the children to allow their letters to you to be seen by their employers? Not encouraged them.
1281. Would it not be better that it should be the other way? I do not think so—the question has never arisen. There has been only one case that I can call to mind when a boy wrote to me to say that his master had told him his letters should pass through him. As a general rule they are sent through the master, and in very few instances is there cause of complaint.
1282. Are the boys and girls employed in the Asylum promiscuously—are they allowed to mix with each other? No.
1283. Do you keep them separate? Yes, during play hours, and also in school, but at dinner and meals they occupy the same room; we do not bring up our boys and girls as if they were not to speak to each other, or to be afraid of each other, believing that by being too strict in such matters we put ideas into their heads which would not otherwise enter them.
1284. You say that you often receive letters from children who have left;—do they seem to have been prepared for them, or to have been written by themselves, so far as you can judge from the style? I think from the nature of the letters they are voluntary letters from themselves. I think I may venture to say that the Government Commission which sat lately, and who saw many of them, were of that opinion.
1285. You say that in the mornings and evenings the children kneel down by their beds? Yes.
1286. Do they all rise simultaneously? Generally the signal is given to rise when they have knelt for four or five minutes.
1287. Do they pray extemporaneously, or are they taught a form of prayer? They are taught a very short form of prayer.
1288. Do you find that the separation of the children for religious worship into Protestants and Roman Catholics has an injurious effect upon their feelings? Among the children there is a perfect freedom from sectarian feeling.
1289. You say the children are very willing to do anything in the way of work? Yes.
1290. That is after they have been in the Asylum for some time? Yes.
1291. Coming away from the evil influences to which you have referred, I suppose they exhibit the natural results on first coming into the Institution? Yes, many on their first entrance they speak an almost unintelligible language. I have travelled a good deal, and seen something of the lowest classes, but have never met with such a vocabulary. It is the very lowest kind of slang.
1292. Is that the case with the girls? No, it is more with the boys. Even the words they use as the explanation of others would not be understood by most English people; thus, if a word were used which I did not understand, and I said "What do you mean by that?" the answer would perhaps be, "I mean I shook it." [Stealing.]
1293. Do you attribute the willingness to work to the training they receive in the Asylum? I think so. In a very short time you see the children very much improve in manners and appearance. There is one very great evil, of which I have often complained: the keeping children who have been gathered from the streets at the Benevolent Asylum until they get a large draft of forty or fifty to be sent to us. I think the Benevolent Asylum should be merely the receiving-house, and that the children should be sent to us more frequently and in smaller numbers, for the introduction of so many children fresh from the streets among others who have been with us twelve months disturbs us wonderfully, and we have in many cases to begin our work over again.
1294. Are the parents of the children allowed to come and see them? Under certain regulations. On the first and third Mondays in the month.
1295. Do the children seem to be happy to see them? Generally.
1296. Do they wish to get back to them? Yes; sometimes the younger children exhibit a little desire to return with them, but very seldom. There appears to be very little affection on either side as a rule. Of course there are some instances of a contrary nature where they are compelled by destitution to separate.
1297. *Chairman.*] Have you considered, as a matter of duty, the physical capacity of children under 14 years of age to work? I think they are able to do light work.
1298. Suppose you were told that children were employed from 6 o'clock in the morning until 6 in the evening, with two hours interval for meals, and that during that time they removed 5 or 6 tons of earth 20 yards, would you think that was excessive labour? I should say that was excessive—almost amounting to cruelty.
1299. Supposing you were also told that children were made to stand for the same number of hours at bootmaking; and to have no opportunity of sitting down, excepting during the interval for meals? For ten hours; I should say that was hard work, but not so fatiguing as carrying earth in their arms; still I should say it would prove injurious to boys to be employed standing for so many hours.
1300. And girls? And to girls also. Of course our boys who are employed in shoemaking do not stand for so long a time; they would have about an hour before breakfast, then from 9 to 12, and then from 2 to 5; besides they would not be standing all the time, but sometimes moving about.
1301. You are speaking now of the boys in your Institution? Yes; I do not know, however, that standing to the work would be more injurious than the old practice of sitting on a low stool and bending over the work. The effect of this might constantly be seen in those who had been employed at the trade in the stooping shoulders and bent body.
1302. Do you not think monotonous labour of that kind for a number of hours must be injurious to boys? Yes; in a large manufactory there is not exactly silence but an almost unbroken monotony, which must be most depressing to the spirits. No conversation can be kept up, as order must be preserved, and this must in itself be irksome.

Mr. J. M. May.
18 May, 1876.

WEDNESDAY, 5 JULY, 1876.

Present:—

MR. H. C. DANGAR, | MR. FARNELL,
MR. JACOB.

WILLIAM H. SUTTON, JUNR., ESQ., IN THE CHAIR.

Mr. William Warner called in and examined:—

- Mr. W. Warner. 1303. *Chairman.*] You are teacher of the Public School at Marrickville? Yes.
1304. I suppose you have a pretty good knowledge of the condition of the people in that neighbourhood? Yes; pretty fair.
- 5 July, 1876. 1305. Do you know whether there are many young persons there employed in industrial occupations? There are a large number of young persons, but not many children under 14. I made inquiries at Wright and Davenport's factory, which is the principal factory there, and out of 350 hands employed there are only fourteen children of 14 years and under.
1306. Do you know anything of the brickyards there? The brickmaking trade is not so extensively carried on at Marrickville as it used to be; there are not many boys employed.
1307. Are many of the children at your school the children of brickmakers? Yes, a fair proportion of them.
1308. Are the children ever taken from school to be apprenticed or sent out to work for their parents? Yes; I find on looking over my register for the last three years that the average age at which the children are taken away to work is about 13½ years.
1309. Do you know what kind of work they are subjected to when taken away? Many of the people are small gardeners, dairymen, and mechanics, and their children chiefly assist their parents when they leave school. Some go to the factory, but not a large number. I should say they left school principally to work at home in dairies and market gardens, and to be apprenticed to trades, as carpenters, bricklayers, and so on.
1310. Do you think any of them are taken away from school at too early an age, before they have learnt enough at school? I do not think children should be taken away from school until they are 14. The great difficulty we have to contend with is the irregularity of attendance.
1311. Can you say what that arises from? Suppose a child reaches the age of 13, the parents begin to think it is time he should be doing something, and he is taken away from school to go to a trade; the child does not like the trade, gives it up, and comes back to school; after a little time he tries something else, gives it up also, and comes back again to school. The children of market gardeners are very frequently kept at home to help in their fathers' work at busy times.
1312. Does that interfere much with their learning? Yes. The average number of days per cent. attended by children throughout the Colony is only 66.
1313. How many days in the year do you think it is necessary to have a child at school in order that he may be taught reading and writing sufficiently? It ought not to be less than eighty days per cent. There are 235 school days in the year, and they only attend about two-thirds of the time at present.
1314. What is the youngest age at which children attend school? About five years.*
1315. Not younger? As a rule not younger. The average age at which they attend is slightly below 5—rather below than over.
1316. I suppose parents taking away their children to put them to industrial occupations seldom consider their proficiency in school learning? I find a great deal more care is taken about that than formerly. I have been teaching in the Colony now for thirteen years, and I find very great improvement in that respect.
1317. They are not so anxious to take their children from school till they have learnt something? Not nearly so much so. It has been very marked during the last few years how very much more anxious the people have been that their children should receive a greater amount of education.
1318. Are there any night-schools in the neighbourhood of Marrickville? No, there are none. I have been asked several times to establish one myself, but I find my own school quite sufficient to carry it on properly.
1319. Do you think it would be a good thing to establish night-schools where children have been taken away too early? I do. In conversation with Mr. Wright, of Wright and Davenport's Factory, I asked him if I was correct in supposing that the young people he had employed were better educated than those who were older; and he said, most certainly they were, and it would be to the advantage of the youths and young women if they could attend night-schools.
1320. Are there many children in the neighbourhood of Marrickville not attending school who ought to be attending? Not many; there are some—principally neglected children.
1321. What do you mean by neglected children? Children who simply run wild about the streets and have no care taken of them.
1322. Are their fathers and mothers living? Yes, generally.
1323. They are quite neglected by their parents? Yes.
1324. *Mr. Farnell.*] What number of children attend the Marrickville Public School? I find 257 enrolled, and fifteen do not pay fees.
1325. Have you heard any complaints from parents residing in the neighbourhood as to the payment of fees? No, not all. I can scarcely say not at all; very rarely indeed.
1326. You have spoken of the irregular attendance of the children;—is it that they attend one day and not the next? Yes, a very large number of the children attend only three or four days in the week instead of the full number.
1327. Do you think it possible to establish a school, which might be called a half-time school, where children could receive some education during the week, while they might work at home with their parents

or

* NOTE (on revision):—A more correct answer to this question would be "Three years." See reply to Mr. Farnell's 9th question. The answer here is true of the average age at which children enter the school.

or otherwise, during the remainder of the week? That would be more suitable for the country than for Sydney and the suburbs.

Mr.
W. Warner.

1328. For instance, take a case of this kind: A widow, with five or six children, who has no means but what she can earn herself, and requires some assistance from her children—do you think any means could be devised by which these children could get some education during the week? I think we could find so few cases comparatively of that kind that we could not found a system upon them. Night-schools would probably meet that case better than schools of any other kind,—the younger children being sent to the day schools, and the elder working during the day and going to the night-schools.

5 July, 1876.

1329. Do you think children would be fit to receive instruction at night after working all day at such laborious work; for instance, as pugging up? Yes, I think so. I had some six years' experience in England, and I found they did so.

1330. Did they work full time? Yes, longer than they do here.

1331. Is there an infant school attached to your school? Yes.

1332. What is about the age of the infant children attending it? There are some 3 years of age.

1333. Is it not an advantage in Public School teaching to have an infant school in connection with the Public School? Yes, where the school is large enough.

1334. It makes the children more apt? Yes, we find it so.

1335. Generally speaking, in the Marrickville district the parents send their children to school? They do very well indeed.

1336. Have you a class-room for religious instruction? Yes.

1337. Do the various ministers of religion attend? The Church of England clergyman from Cook's River attends twice a week.

1338. *Mr. Dangar.*] What is the average age at which children begin to go to school in your district? About 5 years.

1339. Do I understand then that the average attendance at your school is between the ages of 5 years and 13½? Yes.

1340. That they remain at school for that length of time, as a rule? Yes.

1341. What amount of education do they receive during that time? Those that have attended with a fair degree of regularity are able to read in ordinary narrative, write a good letter, and have a knowledge of the useful rules of arithmetic up to proportion and fractions; their knowledge of geography is fair by the time they leave school—they know pretty well the geography of the world, except about Africa; they study Africa in a fifth class, which I have not at my school.

1342. You alluded just now to children going away to try some occupation, becoming disgusted with it and returning to school;—do you find they have forgotten anything during the time they have been away? That is the great disadvantage; they forget so much.

1343. They are not actually so well educated when they come back as when they went away? Certainly not. It is the same with those that have been kept at home for several weeks, the boys to work or the girls to nurse and assist in the house; they come back having forgotten a great deal.

1344. They may forget geography and that sort of thing, but do you find any difference in their reading and writing? I do not find so much fault with those subjects.

1345. What is the nearest school to yours? The Petersham Church of England School is, I should think, the nearest; but the Newtown Public School, St. Peter's Church of England School, and Tempe Public School are all about the same distance from us.

1346. What is about the area of the district from which the children who attend your school come? In a general way I should say the children come from about a mile radius; there are a few, not many, who come further than that.

1347. Have the children outside that radius the means of attending school, as a rule? Yes, they attend the other schools I have named.

1348. *Chairman.*] You spoke of your experience in England;—was that in a manufacturing district? No, in London; among labouring boys and apprentices in London. It was at St. Thomas's Charter-house School, in Goswell-street, in the midst of a thickly populated part of London.

1349. Are you aware that in the manufacturing districts of England a half-time system has been adopted? Yes, but I have never been there.

1350. When children are at work at such an establishment as Wright & Davenport's for instance, for ten hours a day of tolerably laborious work, do you think they would be able to go to a night-school to learn much that would be of any value to them? Yes, I think so; but not every night in the week.

1351. Do you not think it would be a better system to have half-time schools established, so that children could work up to the dinner-hour and go to school for the rest of the day, or alternately, go to school up to dinner-hour and go to work for the afternoon? I do not think they employ children young enough to take advantage of such a system as that. In the manufacturing districts of England the children are sent to work at about 10 years of age, and then they attend school for half the day, morning and afternoon alternately, until they are thirteen. We never have children taken from school to work so early as that.

1352. Do you think it desirable by legislation to make it a condition that manufacturers should not employ children unless they are able to read and write? I think it very desirable. It has always appeared to me to be a simple matter that when a child has left school for any trade he should have a certificate filled in by the teacher, to say the time he has been at school and the amount of education he has received, and that he should not be capable of being employed without such a certificate.

1353. That would be establishing a kind of indirect compulsory influence upon the parents? Yes; it would be much better, I think, than direct compulsion; it would create a necessity for education.

1354. *Mr. Jacob.*] Is it within your own actual knowledge that children have been taken from school to be employed in laborious occupations? Yes; we have to enter the date and the reason for leaving school in one of our registers.

1355. Are there any children of well-to-do parents attending your school? Yes, some.

1356. Are they taken away at about the same age as the others? They would probably leave a little earlier to go to the Grammar School.

1357. Reasons would be assigned why they go away? Yes.

1358. Do you think the physical development of the very young children who come to the infant school is at all affected by the confinement of attending school? I do not think so. In the infant school the course is diversified so as to leave plenty of time for physical exercise and play.

1359.

- 928
- Mr. W. Warner. 1359. Have you in your own school any as young as 5 years? No; none younger than 7; they remain in the infant school until they are 7 at least.
- 5 July, 1876. 1360. *Mr. Dangar.*] What do they know when they come to you from the infant school? They are able to read what we call the First Book, containing words of one syllable; to write from dictation on slates words of one syllable; to work simple addition sums; and to notate as far as four figures—1,000; besides the ordinary object lessons and lessons on colour and form.
1361. Do you find any difference in the length of time that boys and girls remain at school? Boys always remain longer than girls; girls are found useful at home, and are taken away earlier.

Mr. Joseph Coates called in and examined:—

- Mr. J. Coates. 1362. *Chairman.*] You are Head Master of the Fort-street Model Public School? Yes.
- 5 July, 1876. 1363. How many children are at that school now? Twelve or thirteen hundred.
1364. Are many of them the children of working parents or tradesmen? Yes, the majority of them.
1365. Are many of them taken from school by their parents to be set to work when under 14 years of age? Yes, the majority I should think are taken away before that age.
1366. At about what age are they taken away, as a rule? I should say 12 or 13.
1367. Do you know how they are employed on leaving school? I should think, from my experience, the greater number are taken away by their parents and employed by them either to assist their fathers or kept at home to assist their mothers.
1368. Do you think they are generally taken away at too early an age from school? Yes.
1369. I suppose they are taken away without any regard whatever to their proficiency? Yes, usually; but generally when a boy manifests any remarkable aptitude for his books the parents keep him longer at school.
1370. Do you know whether any of them are taken away to be employed in factories? Not in any large number so far as they have come under my notice.
1371. *Mr. Farnell.*] After they have been taken away do many of them return to school again? Yes, a good many do. They may have been taken away for three or four months for some particular employment, and when that is stopped they return to school.
1372. Have you found that during the interval they have forgotten much that they had learnt? Yes; that is invariably the case.
1373. What is about the average attendance at the school? I have only been there five weeks. The average attendance for the last month of the half-year was 1,210.
1374. *Chairman.*] What is the minimum amount of attendance—the least number of days that a child on the roll for twelve months attends? They are not kept on the roll for twelve months; we enrol them each quarter. If a boy leaves in the middle of a quarter his name does not appear any more. The general attendance at school is about three-fourths of the total number enrolled—not quite three-fourths.
1375. *Mr. Farnell.*] What is about the proportion of free pupils attending the Fort-street school? I am not quite sure. There is a larger proportion of free pupils at the William-street school, which I had at one time. I think there were about fifty there; but there is a smaller attendance than at Fort-street. A great many parents have come from Melbourne lately, and they always make application for the remission of fees.
1376. *Mr. Jacob.*] Have many of the children come under your observation after leaving your school, so as to enable you to judge how they are employed? No, I do not see much of them.
1377. You could not say whether the work they are engaged upon has affected their physical development? No.
1378. *Mr. Dangar.*] What is the youngest age at which, in your opinion, a child should be apprenticed to a trade? I should say 14.
1379. Do you think at that age they are likely to retain what education they have received? Yes, I think by the time a boy is 14 years of age, if he has attended school regularly, he would certainly retain a good deal of what he has learnt. The average age in our highest classes is about 14. At William-street Public School the average age in the highest class was about 12½.
1380. Do you find as a rule that the younger they leave school the more quickly they forget? Yes.
1381. Are the advantages of your school partaken of by most of the children in the neighbourhood of Fort-street—are there many children who are neglected? I think there are a great many come to the school from great distances—Randwick and other places, and even as far as Parramatta.
1382. They come and go every day? Yes. I do not suppose *one-half* of the number reside within half-a-mile radius of Fort-street. But that school can hardly be taken as a criterion on some points.
1383. *Mr. Jacob.*] Those who come from long distances are children of well-to-do parents? Yes, comparatively well-to-do parents.
1384. *Chairman.*] I suppose they come to the school on account of the high character it has attained? Yes, parents prefer it to private schools. The large staff maintained enables a little extra attention to be given, and a better classification is obtained than in ordinary schools.
1385. *Mr. Dangar.*] If a child exhibits peculiar aptitude for learning, are there any facilities given to enable him to remain at school when under ordinary circumstances his parents would require him to commence some employment? No; there have been several cases where a boy has even passed the Junior University Examination and shown good aptitude for learning, and yet his parents have been obliged to take him away, even at the age of 12 years: whereas, if he had been left at school for another year or two he would have become much more advanced, *i.e.*, he leaves just at the age when he is beginning to appreciate the advantages of a good education.
1386. *Mr. Farnell.*] The parents could not afford to keep him at school? No; they must get him some employment somewhere.
1387. *Mr. Dangar.*] In the case of children who have left school for some time to undertake some employment, and have come back again, do you find their morals worse than when they went away? Yes, in a few cases I have noticed that.
1388. Do you think they exercise an undesirable influence upon the other children? I have not known them to come back in such large numbers as to materially influence the others.
1389. Are you ever applied to for a certificate when children are apprenticed to particular trades? Very often.
1390. Do you give it as a rule when applied for? Only in cases where I can recommend the boy. I mean a certificate of good conduct and regular attendance at school. It is not so much asked for when they go to trades as when they go to offices as junior clerks.
- 1391.

1391. Of course children are taken away from school for a vast number of different occupations—Are you able to say whether the businesses they follow have, as a rule, a demoralizing or an elevating influence upon them—What is the tendency, as far as you can judge, of the lives they lead after they leave school? I think the general tendency is to demoralization in cases where they leave young to go into large factories where there are a large number of persons employed. Of course a great deal depends upon the home influence. Mr. J. Coates.
5 July, 1876.

1392. *Chairman.*] What is the youngest age at which you think children ought to attend school? There are such facilities now in the infant schools that they can attend at almost any age.

1393. Do you think it at all detrimental to a child to attend school under 5 years of age? No, not generally. He certainly will not learn much before he is 5 or 6 years of age.

1394. *Mr. Dangar.*] Have you formed any opinion as to the effect of attempting to develop a child's mental faculties at a very early age? Where they are made to learn at too early an age it is prejudicial to the development of their mental powers, and to their physical powers too. I have noticed that if forced too much at first they invariably come to a stand-still between the ages of 7 and 11.

1395. *Mr. Farnell.*] Are there many children in the neighbourhood of Fort-street who do not attend the school—neglected children? There are.

1396. What, in your opinion, would be the effect if (say) a hundred of these neglected children were taken off the streets, and sent to the Fort-street school? It would have an injurious effect as far as the status of the school is concerned.

1397. Do you think it would have a tendency to cause parents to withdraw their children from the school? Yes, I think it would cause some, and they would be a little more difficult to manage.

1398. The children I am alluding to are the children of vicious parents—what are generally called gutter children? Yes.

EMPLOYMENT OF CHILDREN.

APPENDIX.

[To the Evidence of Mr. Arthur Hunt, 10 February, 1876.]

A.

(1) G.C., 12. 2 years at work... Wages 10s. Can W. & R.	(9) R.F., 15 4 years. Piece-work Wages 12s. abt. Can W. & R.
(2) J.B., 12. 2 do. do. 10s. do. do.	(10) G.C., 15. 4 do. do. do. 12s. 6d. abt. do.
(3) P.M., 13. 18 months at work... do. 7s. 6d. do. do.	(11) J.G., 15. 3 do. do. do. 16s. do. do.
(4) C.L., 12. 3 years at work... do. 8s. 6d. do. do.	(12) A.F., 15. 3 do. do. do. 15s. do. do.
(5) W.M., 14. 3 do. do. 8s. 6d. do. do.	(13) J.O'K., 15. 4½ do. do. do. 14s. do. do.
(6) W.O'N., 14. 2 do. do. 10s. do. do.	(14) T.C., 16. 2½ do. do. do. 20s. do. do.
(7) T.G., 14. 2 do. Piece work do. 15s. abt. do. do.	(15) C.S., 16. 4 do. do. do. 15s. do. do.
(8) T.S., 14. 4 do. do. do. 16s. do. do. do.	(16) J.D., 16. 3 do. do. do. 14s. do. do.

These lads are employed at the Richmond Tobacco Factory, Harrington-street.
February 10th, 1876.

A. W. SUTTON & Co.

B.

[Ordered to be appended, 27 July, 1876.]

Mr. J. S. V. Mein to Mr. J. H. Palmer.

N. S. S. "Vernon,"
22 May, 1876.

Dear Sir,

I beg to supplement my observations upon the employment of children, if not too late, by forwarding to you my last year's report of this Institution, wherein you will see the cost per head per annum is £30. I also send a table showing the average cost of clothing.

598 boys have passed through our books up to date, and 371 have been apprenticed to different callings, the majority as farm and general servants; comparative few go to sea, as the demand for them in Colonial ships is very limited.

Viewing the employment of children as to the most benefit they and the Colony would derive, my experience of nearly ten years in this ship clearly points out that an industrial farm would be the most advantageous training. I mean a farm of growing grain, breeding cattle, sheep, and poultry, together with dairy work, so that by the time the children are ready to leave they may have some knowledge of farming in the most approved method; thus it would be the means of improving farming throughout the country, and in the course of a few years a school of this kind could be made self-supporting.

The buildings should be on the village plan, so constructed that twenty lads with a working overseer could be lodged under the one roof. This would bring the children more directly under observation; the details could be so worked out that every child would obtain school and farm knowledge daily.

I see no difficulty in transferring all the children at present in the different Institutions to such a farm; this, however, should not be too near any large town, as the temptation to desert would be great.

1,000 acres, I have no doubt, could be found of Government land between Sydney and the Hawkesbury suitable for this work. Inexpensive cottages could be put up, and the plan tried at no great outlay. I feel confident with a little trouble this could be worked with success.

So far as the ship is concerned for turning out sailors to man our Colonial vessels, she is likely to remain useless unless the law is altered to compel owners to take a certain number of apprentices. She is however good to bring neglected children to a proper condition of order and obedience, and perhaps now that she is in existence it would be advisable to retain her as a reformatory for the worst class of lads, and the farm as an industrial school.

Yours faithfully,
J. S. V. MEIN.

C.

[Ordered to be appended, 27 July, 1876.]

Mr. J. Cook to W. H. Suttor, Jun., Esq.

St. Peters, 16 February, 1876.

Sir,

Doubtless you will have thought that I had forgotten to forward you the promised information regarding the number of boys employed in the brick trade. The delay has been through my not being (as I thought I should) able to get such information from the books in my possession, so that I had to go round from yard to yard and take the number. I also tried to get the ages and the amount of education which they had received, but this I had to give up, as where the boys were engaged by the parents they refused to give me any information at all on these subjects, and in many instances I had to put up with abuse.

The total number of boys, as far as I can ascertain, are 160, that is in Waterloo, Marrickville, Petersham, and Ashfield, and by the looks of the boys I may say that they are mostly under the age of 13 years.

Should this be all the information required, or should you require the same to be given before the Committee, you will please let me know.

Yours, &c.,
JAMES COOK.

D.

[Ordered to be appended, 27 July, 1876.]

(Circular.)

Legislative Assembly,
No. 3 Committee Room,
Sydney, 1876.

A SELECT COMMITTEE of the Legislative Assembly is now inquiring into the subject of the employment of children in trades, professions, and callings unsuited to their years; and believing that you would be likely to afford information that would materially help the Committee in arriving at a conclusion on this very important matter, I respectfully request you to be kind enough to reply to the questions which you will find on the next page, and when completed return this paper to me.

I have, &c.,
W. H. SUTTOR, JUNR.,
Chairman of the Committee.

TABULATED

Tabulated Statement of Information obtained from Employers of Children in answer to Questions asked by Circular of Committee.

Name or Designation of Employer.	Questions contained in Circular, with answers thereto.													General Remarks.	
	1. What is the nature of the Manufacture or Industry carried on by you?	2. Have you any persons under 14 years of age employed therein?	3. How many of each sex?		4. What is the nature of the employment?	5. How many hours per day are they employed.	6. What amount of wages do they receive?	7. To whom is the wages so earned paid over?	8. Do any complain of the effect of the work upon their health?	9. How many can read and write, or can read?	10. Are persons of both sexes employed in the same apartment?	11. Is any relaxation from work allowed during the day, not including the meal hours?	12. How many of the young persons employed by you attend any school?		13. How many hours per week do they attend school?
			M.	F.											
T. Saywell, Esq.	Tobacco.	Yes.	12	..	Rolling leaf-tobacco into plugs.	10.	From 8s. to 15s. per week.	To themselves.	No complaint of the kind has ever reached me.	8 can read and write; and 4 can do neither.	No.	No.	I am not aware that any attend school.	.....	The rooms in which the work is carried on are well ventilated and lofty.
H. Dixon, Esq.	Tobacco.	Yes.	*14	..	Light work.	About 10.	According to ability, from 4s. to 10s. per week.	To the boys to convey to their parents or guardians, which we find our boys almost without fail do.	No; nor did I ever have such a complaint in Scotland, where I had a good deal of experience.	9 can read and write; 1 being defective in sight can neither read nor write; they mostly attend night-schools.	No.	Work not being constant at one thing they have as much relaxation as is desirable or good for them	Most of them	Generally about 2 hours per night.	Having had experience in Scotland, and some also in Victoria, it is my opinion that children employed as we employ them are better and safer than if allowed to roam about the streets, and to become Arabs or larrikins. * We do not approve of employing females.
H. A. Gilliat, Esq.	Tobacco.	When at work, yes.	50	10	Light-handling and tying leaf-tobacco.	10.	8s. to 12s. per week.	I think without an exception to themselves.	I have heard no complaints; in 3 years remember only one or two cases of ill-health.	Unable to state.	No.	No.	Unable to say.	Unable to say.	
W. M. Alderson, Esq.	Tanning and leather, &c.	Yes.	20	4	Upper and boot manufacturing.	Girls 8, and boys 10. In winter, daylight till dark.	Girls, 4s. to 22s. 6d. per week; boys, 5s. to 15s. per week.	To the employé.	Not any.	All.	No.	No.	Not aware of any.	Not aware.	All well contented with their employ, having well ventilated workshop, and sanitary measures strictly carried out under my own supervision. Those under 14 years have been set on to alleviate cases of distress which my particular attention has been drawn to.
James Vickery, Esq.	Three years since I gave up the manufacture of boots and saddlery, and last year I relinquished the tanning trade.	At that time 150 men and boys, and 120 girls.	150	120	.....	10.	Boys, from 8s. to 20s.; men, 36s. to 70s.	To the boys whom I presume paid it to their parents.	No.	I cannot now tell, but out of 50 boys not above 5 were unable to read and write.	No.	No.	I think very few, if any.	.....
John Rayner, Esq.	Woollen.	Yes.	1	2	Joining threads.	10.	6s. to 10s. per week.	To their fathers, if in their employment; if not, to themselves.	No complaints. Woollen factories are healthy.	All.	Yes, in some branches.	No stated time	None except Sunday-school.	Two on Sunday.	Night-schools would be a benefit to those employed in the day. We require a good school here.
J. P. Moody, Esq., Manager of the Australasia Coal Co.	Railway making.	No.	..	..	.....	.....	.....	.....	.....	.....	.....	.....	None employed.	.....
R. L. Moody, Esq., Colliery Manager of the Waratah Co.	Coal mining.	None under 14, about 20 from 14 to 18.	..	..	Horse driving.	9.	From 4s. to 8s. per day.	Sometimes to themselves and sometimes to their parents.	No.	All.	No.	Yes, frequent.	None.	.....	There have been several attempts to establish a night-school in this district for the youth who work in the mines during the day, but after they arrive at say 14 or 15 years of age, they seem more inclined to idleness than to going to school.
Messrs. Pearce & Co., Proprietors of the Four-mile Creek Colliery.	Coal mining.	No.	..	..	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
The Manager of the New Wallsend Colliery Co.	Coal mining.	None under 14 years.	..	..	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Mr. W. B. Green, Manager of the Osborn Wallsend Colliery.	Coal mining.	Yes.	3	..	To open and shut what is known as a trap-door.	10.	2s. 6d. per day.	Themselves.	No.	All, more or less.	I have only males employed.	No.	Two boys when the Colliery is at work.	I cannot say	
The Manager of the Lithgow Valley Colliery Co.	Coal mining.	No.	..	..	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
The Manager of the Eskbank Colliery.	Coal mining.	No.	..	..	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Mr. Ross, Colliery Manager of the Bulli Company.	Coal mining.	No.	..	..	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Mr. Hepple, Manager of the Bowenfels Coal Mining Co.	Coal mining.	No.	..	..	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

Sydney: Thomas Richards, Government Printer.—1876

APPENDIX.

1875-6.

NEW SOUTH WALES.

VACCINATION.

(REPORT FOR 1875.)

Presented to Parliament by Command.

THE MEDICAL ADVISER TO THE GOVERNMENT TO THE PRINCIPAL UNDER SECRETARY.

Sydney, 27 March, 1876.

SIR,

I do myself the honor herewith to forward to you the returns from the several Government Vaccinators in the country districts, from the Vaccine Institution in Sydney and from the Public Vaccinators in the suburbs, for the year 1875.

Table A, which gives the returns from Sydney and the suburbs, shows the number of successful vaccinations to have been 354 in children under 1 year of age, in those between 1 and 5 years 742, and in those between 5 and 7 years, 227.

Table B includes the returns from the country districts, and gives 490 successful vaccinations in children under 1 year of age, 962 in children between the age of 1 and 5 years, and 336 in those of from 5 to 10 years inclusive.

The total number of successful vaccinations in the Colony being for the City and Suburbs 1,323, for the Country districts 1,788, a very small proportion of the infant population of the Colony, and sufficient evidence of the indifference on the part of parents to the subject of vaccination, a state of things which is only occasionally corrected by the presence in the Quarantine Station of cases of small-pox, or by the appearance of the disease in some neighbouring Colony. Total 3,111.

During the past year however the prevalence of infantile diseases has deterred many of the Public Officers from vaccinating, and from many of the districts there have been no returns.

Under the present arrangements the benefit of receiving gratuitous vaccination is confined to children of 10 years of age and under that age, and the vaccination returns, not only of the last but of previous years, show that the number of vaccinations is a very small proportion of the number of children born; there must in consequence be a large number of persons in the Colony past the term of childhood who are altogether unprotected against small-pox.

It should also be borne in mind that vaccination in early life may have been from various causes but imperfectly performed, and not capable of affording such complete and lasting protection as perfectly successful vaccination gives, and there is reason to believe that, apart from all faults attaching to the vaccinator and to the quality of the lymph used, and even in cases where vaccination has been perfectly successful, there does occur from natural causes a tendency towards return of susceptibility to small-pox contagion. I therefore recommend that the regulations be amended so as to afford gratuitous vaccination to all unvaccinated persons above 10 years of age, and also to provide for revaccination at the public expense.

I have, &c.,
H. G. ALLEYNE, M.D.,
 Medical Adviser to the Government.

TABLE A.
 VACCINATION.

RETURN showing the number of Children vaccinated by the several Government Vaccinators in Sydney and the Suburbs, in the year 1875, and distinguishing those cases brought to a successful issue.

Vaccinator.	1 month and under 1 year of age.				1 year and under 5 years of age.				From 5 to 10 years inclusive.				Total number of cases.			
	Male.	Female.	Total.	Successful.	Male.	Female.	Total.	Successful.	Male.	Female.	Total.	Successful.	Male.	Female.	Total.	Successful.
Myles Egan	53	65	118	118	61	50	111	110	8	11	19	19	122	126	248	247
Owen Spencer Evans	12	8	20	20	19	7	26	25	8	1	9	9	39	16	55	54
Thomas Hogg	124	112	236	216	325	314	639	607	97	105	202	199	546	531	1077	1022
*Benjamin Kyffe .....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
*Robert Dalzell Ward .....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
*William Gillet Sedgwick .....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
*Frederick Harrison Quaife .....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
*George Frederick Dansey .....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
*Thomas Morgan Joseph .....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Total	189	185	374	354	405	371	776	742	113	117	230	227	707	673	1380	1323

* No returns sent in.

TABLE B.
VACCINATION.

RETURN showing the number of Children Vaccinated by the several Government Vaccinators throughout the Colony, in the year 1875, and distinguishing those cases brought to a successful issue.

Districts.	1 month and under 1 year of age.				1 year and under 5 years of age.				From 5 to 10 years inclusive.				Total number of cases.			
	Males.	Females.	Total.	Successful.	Males.	Females.	Total.	Successful.	Males.	Females.	Total.	Successful.	Males.	Females.	Total.	Successful.
Armidale	3	3	6	6	4	1	5	5	1	0	1	1	8	4	12	12
Wollongong	23	31	54	54	128	158	286	284	27	28	55	54	178	217	395	392
Wagga Wagga	6	6	12	12	11	10	21	21	1	0	1	1	18	16	34	34
Dungog	19	12	31	31	20	16	36	36	3	3	6	6	42	31	73	73
Raymond Terrace	11	6	17	15	31	18	49	39	6	2	8	6	48	26	74	61
Walcha	0	1	1	1	1	3	4	4	4	2	6	6	5	6	11	11
Wollombi	4	3	7	7	13	8	21	20	3	1	4	3	18	13	31	30
Mudgee	13	13	26	26	28	15	43	43	7	8	15	15	48	36	84	84
Newcastle	25	19	44	44	11	6	17	17	0	3	3	3	36	28	64	64
Patrick's Plains	17	13	30	30	17	18	35	32	4	5	9	9	38	36	74	71
Gulgong	3	2	5	5	10	16	26	26	21	15	36	36	34	33	67	67
Rocky Mouth	14	12	26	23	59	62	121	115	47	41	88	88	120	115	235	225
Carcoar	6	5	11	11	21	19	40	40	1	5	6	6	28	29	57	57
Albury	50	50	100	96	62	52	114	113	7	10	17	17	119	112	231	226
Bellinger River	4	2	6	6	26	28	54	54	33	33	66	66	63	63	126	126
Rockley	22	24	46	41	34	42	76	71	7	9	16	16	63	75	138	122
Wallsend	28	24	52	52	14	13	27	27	1	3	4	4	43	40	83	83
Deniliquin	23	12	35	30	6	9	15	15	0	4	4	4	29	25	54	49
*Aratuen																
*Adelong																
*Bathurst																
*Bega																
*Berrima																
*Bourke																
*Bombala																
*Braidwood																
*Broulee																
*Camden																
*Cassilis																
*Dubbo																
*Forbes																
*Goulburn																
*Gosford																
*Grafton																
*Grenfell																
*Inverell																
*Kempsey West																
*Kiamia																
*Lambton																
*Molong																
*Morpeth																
*Murrumbidgee																
*Maitland																
*Muswellbrook																
*Moruya																
*Macdonald River																
*Narrabri																
*Orange																
*Oberon																
*Oxley																
*Parramatta																
*Parkes																
*Penrith																
*Port Macquarie																
*Queanbeyan																
*Richmond																
*Richmond River																
*Singleton																
*Stroud																
*Sofala																
*Teuterfield																
*Tamworth																
*Tumut																
*Windsor																
*Wellinggrove																
*Wellington																
*Wee Waa																
*Ulladulla																
*Yass																
*Young																
Country Districts, Total	271	238	509	490	496	494	990	962	171	173	344	336	938	905	1843	1788
Sydney and Suburbs, Total	189	185	374	354	405	371	776	742	118	117	230	227	707	673	1380	1323
Grand Total	460	423	883	844	901	865	1766	1704	284	290	574	563	1645	1578	3223	3111

* No Returns have been sent from these Districts.

1875-6.

NEW SOUTH WALES.

GOVERNMENT OBSERVATORY, SYDNEY.

(REPORT OF ASTRONOMER, FOR 1874 & 1875.)

Presented to Parliament by Command.

MINUTES and Proceedings of the Observatory Board, at the Annual Meeting held at the Observatory, on the 15th March, 1876.

PRESENT :—

His Excellency the Governor.
 The Honorable the Minister for Justice and Public Instruction.
 The Commodore.
 The Surveyor General.

THE Board inspected the buildings, new instruments, &c., and assembled in the Board Room.

His Excellency took the Chair.
 The Astronomer then read his Report.

Resolved,—

- “That the Astronomer’s Report be adopted.
 “The Board express their approval of the general state of the Observatory, and their satisfaction that a new transit instrument and other valuable apparatus have been purchased since their last meeting.
 “With reference to the ‘correspondence’ about the publication of a daily weather chart, the Board are unanimously of opinion that the collection and publication of meteorological information form part of the Astronomer’s duty, and recommend that he should be allowed to carry out the improvements suggested by him.
 “That a copy of these resolutions be forwarded with the Report.
 “That the Honorable the Minister of Justice and Public Instruction be requested to lay the Astronomer’s Report before Parliament, with a view to the various matters recommended by him being carried out.”

The Board adjourned *sine die*.

ASTRONOMER’S REPORT FOR 1874 AND 1875.

IN February, 1875, I obtained leave of absence for nine months, in order to take to England the successful result of the observation of the transit of Venus in New South Wales, to purchase new instruments for the Observatory, to select instruments and instrument-makers for the Surveyor General, and to obtain information generally about trigonometrical surveying, testing of instruments, &c. Leaving Sydney on 21st February, and having to reduce observations and get the photographs ready to take with me, it was impossible to have the annual meeting of the Observatory Board. This Report, therefore, necessarily refers to the years 1874 and 1875.

During my absence Mr. Lenehan, the First Assistant, acted for me. I returned to the Colony on October 15th, after an absence of eight months.

In my Report for 1873 I stated the provision made by Parliament for observing the transit of Venus, and gave an account of the preparations then contemplated and in progress. I have now the satisfaction of saying that they were all completed in time, and great part of the work was done in Sydney. As it was of an unusual character, however, it required almost constant personal supervision, and it would have been impossible for me, without the hearty assistance rendered by the officers of this department, and the observers, to have had everything ready in time to make successful use of the fine weather, and to achieve the great success which crowned our efforts.

The instruments were erected in the Observatory grounds, and each party obtained as much practice with their own instruments as possible before they started, and were therefore ready to make use of their opportunities as far as the weather permitted. The number of photographs obtained (1,240), though not quite so great as I expected, is much greater than that obtained by any other party of observers, and quite sufficient

for the purpose, especially as they are of first-rate quality, and numerous about the time of ingress and egress, and well distributed along the whole of the planet's track on the sun. They give not only the planet's exact position at every stage of its progress, but also many interesting proofs of the remarkable halo which nearly all the observers saw about the margin of the planet.

After every care had been taken by the observers, here and elsewhere, to instruct themselves with the artificial transit and the study of descriptions of phenomena to be expected, unexpected phenomena presented themselves, especially the light round the margin of the planet, and made it impossible to obtain the exact instant of contact with that nicety which was hoped modern instruments would make possible. The training of the observers had however an important result; they were surprised, but were nevertheless able to note carefully and make drawings of what they did see, and to prove that the actual contact of the limbs of the sun and planet cannot be determined within several seconds. The drawings are invaluable and will afford information that could not have been otherwise given.

When I got to England I found that Sir G. B. Airy, the Astronomer Royal, had determined to combine all the British results, including photos and observations, in one grand scheme of reduction, and was anxious to obtain those from this Colony. I have therefore handed over to him the whole of the selected photos, viz., 130 whole plates from Sydney, 46 whole plates, and 14 Jaussen (60 on each plate) plates from Woodford, and 21 whole plates from Eden, together with the exact times of the exposure of each plate. Copies of all the drawings and full reports from each observer, with the latitudes and longitudes of each station. The best only of the photos have been sent. It has been decided to publish here the whole of the reports and drawings of the transit phenomena, and, but for delay in the printing, all might have been ere this complete; they are, however, in a forward state now, and I hope to get them complete very soon.

It is not yet known how soon the grand result will be obtained, but it is probable that it will take another twelve months to finish the reductions.

The time spent in the transit of Venus work and in teaching the observers has been a serious drawback to the usual work of the Observatory, but the result we obtained not only supplied the want caused by cloudy weather in other places, but gives this Observatory a recognized position in the estimation of scientific authorities, and the gain is more than the loss.

During the two years the usual time and longitude observations have been maintained, and as far as possible the double star work; but in June, 1874, the equatorial had to be taken down for the new instrument and dome, and could not be used for star work to the end of the year, and during my absence in 1875.

The transit instrument still bears its old and unsatisfactory character, but I am glad to say I was authorized to obtain a new one with every modern improvement from the best maker, and with this I shall be able to take up the proper transit circle work of a fixed Observatory, and determine the star places for the trigonometrical survey,—work which could not have been done with the old instrument.

All the preparations that can be made for the new instrument are in progress, and I hope to see it at work within a few days of its landing.

Arrangements have been made in the Observatory for the electric control of some of the public clocks in Sydney; the system can be extended without trouble to all the public clocks, and I would therefore recommend that they should be all so controlled from the Observatory.

In the Meteorological branch a second assistant has greatly facilitated the reduction of the observations, and special attention has been paid to keeping the stations as efficient as possible. In Sydney the regular observations and self-registering instruments have been kept going; of the latter we only now want the thermograph to complete our requirements; more is said about this instrument in the classified part of this Report. The publication of the results, daily, monthly, and annually, has been maintained. The volume for 1874 has been printed, and contains, in addition to the usual information, monthly results and curves; also barometric curves for all stations, and a series of useful tables deduced from the records. The volume for 1875 is nearly ready. The experiments on evaporation have been continued throughout the year, and the relation between the amount of evaporation in a tin vessel on the ground and an ordinary reservoir again determined; this, of course, greatly facilitates the determination of the amount of evaporation from reservoirs in places where, as is common in the country, only a tin vessel can be used for determining the evaporation.

Self-registering barometer, pluviometer, anemometer, tide-gauges, &c., with daily observations of standards instrument as checks on the self-registration,—determination of instrumental errors,—the best form of thermometer boxes,—and the careful testing of all instruments supplied to country stations,—have been steadily kept up.

It was decided that the new rain-gauges and glass measures should be made in the Colony, and considerable delay arose in consequence; they are now finished, and are stronger and better than those imported; the body is made of iron, galvanized after it is put together, and the rim is very strong and accurately turned brass.

Some very important new instruments have been added to those already in the Observatory, a description of which will be found further on. To make these really useful I have asked for a room to put them in fitted as a physical laboratory. I should be glad to have these instruments used by students in the University, for the sake of encouraging physical science, and I have no doubt that the privilege of using first-class instruments here would act as an inducement to work, and lead to valuable results as well as instruction; the Observatory would thus stand in a truer relation to the University than it has done.

As I hope immediately to begin valuable meridian observation, the question arises whether the old observations with the transit should be published. The opinion of my predecessors as to the inferior quality of the old meridian instrument is well known, and my own is that, in view of the fact that exactly similar observations have been made and published at Melbourne and the Cape, no useful purpose could be attained by printing these meridian observations, and I would not recommend that they be published. There is however a large number of double star measures and other observations made with a very trustworthy instrument, and I would like to see these printed and circulated as soon as possible to other Observatories which send their publications here. I have therefore made an effort since my return to get these ready for press. Nearly the whole of the reductions are made, and they only require examining and arranging for the printer.

During

During my stay in Europe I visited as many of the public and private Observatories as possible, and was everywhere treated with great courtesy, and supplied with all the information that I required, both as to work done and quality of instruments, number of assistants required to do the work, &c.

The Astronomer Royal of England was especially courteous, and afforded me abundant opportunity of getting an insight into the working of his great establishment. Comparing Sydney Observatory with what I have seen generally, I find it is, with its new instruments, quite equal to the requirements of modern Astronomy; and is indeed better furnished than many older institutions; but our staff of assistants is smaller than usual where the same work has to be done. It will be remembered that when the first Astronomer began his labours in Sydney a number of old instruments were put into his hands; many of them were worn out, and all of them belonged to a bygone age. The Observatory has ever since suffered from this mistake, and now that I can put the old instruments on one side, and replace them with first class modern instruments, it is a great satisfaction to me.

I also visited the principal Meteorological Observatories, and made myself acquainted with the weather map systems of England and America. In both countries they have great and expensive establishments for this work, and in America people generally now expect to be warned of weather changes with the same certainty that they are warned of eclipses; they have been educated to this by their storm-warning system, which has reached such perfection that when tried by the severe test of experience, 80 per cent. of their predictions come true. The enormous cost of a system embracing the whole of the States is borne without complaint, because so much life and property has been saved.

I have for many years been at work here with a similar object in view, and therefore made a careful study of the means used in England and America for giving information about weather to the public, but I cannot recommend the adoption here of either of the expensive systems named.

In England they first prepare very carefully, and as a result of all the telegrams they receive, a *weather chart*. This is reduced by the expensive and slow process of engraving. In America all the maps have to go three times through the press before they are complete, and to do this twice daily employs a large department, and is very expensive.

In thinking over what I saw, a plan suggested itself to me by which a similar map could be prepared here, and published at a nominal cost, the proprietors of the *Herald* being willing to incur the small cost of preparation for their papers. I therefore asked the Minister for Justice and Public Instruction for authority to proceed with the publication, the only assistance required being a compositor for about one hour daily, and a few more telegrams. The compositor was sent at once; but the telegrams have been refused, because a *part* of the information which I require is exhibited daily at the Telegraph Office, Sydney. I have therefore been unable to publish the weather chart, which would have given the information to every newspaper reader in the Colony.

As I consider the progress of the science of Meteorology here, and the welfare of the Observatory, are involved in the refusal to supply these weather telegrams, it is my duty to lay the whole of the correspondence before the Board of Visitors.

Personal Establishment.

This has been increased by one assistant for the meteorological work, and is as follows:—

The Astronomer, who is responsible to the Government for all the property of the Observatory, superintends all observations, calculations, instruments, daily discipline, and all publications; makes all observations with the equatorial, magnetic instruments, &c. It is right that I should here mention a proposed addition to my duties.

The Surveyor General is now actively carrying on the trigonometrical survey of the Colony, and has asked me to take the oversight of the calculations. To do this would require a considerable portion of my time, and my duties to the Observatory occupy all my working hours. I therefore consented on condition that I was enabled to pay some one to devote an equivalent portion of time to the Observatory.

Mr. Lenhan, Astronomical Assistant, has charge of nearly all observations with the transit instrument and their reduction, all the clocks, chronometers, time-ball, and time signals, the examination of all the meteorological reductions, and other necessary calculations.

Mr. Savage, Meteorological Assistant, is charged with the reduction of all the meteorological observations from country stations, and their preparation for the Press, with some correspondence and astronomical observations.

Mr. Bladen, Meteorological Observer, is charged with all the meteorological observations at Sydney and with their reduction, and with all measurements and reductions required by self-registering instruments.

The messenger acts also as office-keeper and carpenter.

Instruments.

The transit instrument is in good order, and has not improved in quality. I am glad to say, however, that the want of the trigonometrical survey has made it possible to obtain a new transit circle, and after a most careful examination of the principal meridian instruments and instrument factories in Europe, and as far as possible learning the defects and advantages of each, I gave the order for a transit circle with 6-inch telescope to Mr. Simms, of Charlton, near London, requesting him to make certain alterations in the usual form, which experience has shown to be desirable. The instrument will combine all the most recent improvements and some that are used in it for the first time. I believe it will be one of the finest instruments extant.

The old 7 $\frac{1}{4}$ -inch equatorial telescope was taken down in June to make room for the new 11 $\frac{3}{8}$ -inch and for the new dome to be erected; it was mounted on a new equatorial stand, that had been made for it in Sydney, provided with clock-work, photographic apparatus, and every requisite for observing the transit of Venus at Eden, and was then used by the Eden observers for practice until the instruments were packed up in November.

The photoheliograph was put on a similar stand to the last, made in Sydney, and mounted and used by the Woodford observers.

A 6-inch equatorial, lent to the Observatory for the Venus observations, was mounted in the Goulburn Observatory, and used by the observers for practice.

A 4 $\frac{3}{4}$ -inch telescope was purchased and mounted equatorially, and supplied with clock-work.

The old Parramatta transit; a 3 $\frac{1}{2}$ -inch telescope and a 3-inch, were also mounted equatorially.

A 4 $\frac{1}{4}$ -inch Cooke equatorial was purchased.

The

The old Parramatta equatorial and a silvered glass 10-inch equatorial, lent for the purpose, were all prepared and used for observing the transit of Venus.

The new 11 $\frac{3}{4}$ -inch equatorial telescope, by Schroöder, of Hamburg, was received in July; with it came a valuable position circle micrometer; also, what the maker calls a polarization helioscopic eye-piece,—this is a most valuable addition to the instrumental appliances, and enables the observer to look at the sun without coloured glasses, so that the actual colouring of the sun's surface can be seen—even the red tint over portions of the spots. In this eye-piece advantage is taken of the polarization of light reflected from a glass surface, and two pairs of reflectors are used and so arranged that one pair may be made to polarize at right angles to the other, in which position it stops nearly all the sunlight; by altering this angle the sunlight may be made of any convenient intensity, and the alteration is made by simply turning a handle.

The object glass is a splendid specimen of optical skill, and is, I believe, as near perfection as possible, both in its defining and achromatic qualities. Too much praise cannot be given to Mr. Schroöder for his success with this instrument, especially as our building obliged him to make it only 12 ft. 6 in. in focal length. This is considered a disadvantage to definition, but is a great help to the light-grasping power, and of value where there are so many clusters and nebulae to be observed.

The small altazimuth, 30-inch transit, and magnetic instruments are in good order.

The 6-inch theodolite, lent to the late Commander Gowlland, for the survey of Sydney Harbour, was lost when that lamented officer was drowned, and though search was made in the water it could not be recovered.

The sidereal and time-ball clocks have continued to work satisfactorily; the latter has had contact springs put into it for the control of public and other clocks.

The *Breguet* and *Barrand* clocks have both had seconds contact springs put into them, and were used at Eden and Goulburn Observatories respectively.

The hourly signals for the barograph are now obtained from the time-ball clock.

The Hardy sidereal clock is in the equatorial room; one of the four springs in its escapement broke, and Mr. Allering suggested and carried out a capital improvement by which only two of the four springs were required. The barrel has also been made smaller, so that it will now go for a week; before, owing to its short case, it required winding twice a week.

All the chronometers are in good order, and were used for transit of Venus observations.

The Sydney time-ball has continued to work most satisfactorily; but experience proves that it is not possible to send with certainty on our telegraph lines the signal to Newcastle, and I despair of dropping the Newcastle ball with perfect accuracy until the new ball is put up, when I hope to make satisfactory arrangements.

After waiting many months for the lens to complete the magnetograph, it proved of the wrong form,—one ready made, and not the one ordered had been sent. While in London I took the opportunity to get one made of correct dimensions, and the instrument is now complete.

Three complete sets of photo apparatus for sun pictures were made to fit on the telescopes used for transit of Venus observations. The enlarging combinations take the pictures without distortion. They are made as follows:—Two plano-convex lenses of equal focus and convex sides towards each other, are placed about 1 $\frac{1}{2}$ times the focal length of one of them apart; the exact distance at which they will enlarge without distortion is then determined experimentally, and fixed. Each of the sets had an automatic contact which signalled to the chronographs the exact time at which each photograph was taken.

The thermograph has been completed and does its work well, but an unforeseen difficulty makes it necessary to change its form slightly. The instrument was placed in the thermometer shed, with a very thin case about it, which it was expected would keep off the dust without affecting the temperature sensibly, especially as ventilation was provided, but it was found that this slight cover made a difference sometimes of 4 degrees between the temperature in the box and that in free air; the cover was then taken off, and the dust proved an insuperable difficulty both in the clock-work and other parts of the mechanism. A change will have to be made probably by putting the sensitive part outside and the recording part within the building. A barrel chronograph for the new transit circle is much wanted; the price asked for them in London was beyond the means at my disposal, but I have no doubt it can be made here for a less sum. The chronograph now in use is good, but as the observations are on a tape much time is lost counting the seconds.

New Instruments.

In addition to the new transit circle already mentioned, I purchased a very powerful spectroscope, combining all the most recent improvements; it was made by Adam Hilger, of London, and is probably the most powerful instrument extant. It may be worked with any even number of prisms from 2 to 18, either for star or sun work, and has also a table stand and conveniences for other investigations. For mapping spectra it has an automatic recording apparatus, so that the position of every line is given on a very much enlarged scale, and if wanted the slit may be divided so as to make two spectra one above the other, and measurements can be taken without reference lines or artificial light.

For sun observations the slit may in a few seconds be changed from a radial to a tangential position, and the change in number of prisms used may be made with equal facility. This instrument is not supported and attached to the telescope by the usual three-rod system, but on a half-tube made like a continuation of the half of the draw tube. This form is lighter and more rigid than the old one. For use with the spectroscope I obtained a large Ruhmkorff coil, giving a spark of ten inches; also gas tubes and holders; metals and metal holders for comparison spectra.

For examining the sun without putting the spectroscope on the telescope, one of Spencer's heliostats has been secured; and for exhausting tubes for gases, &c., a valuable mercurial air pump.

Also one of Sir William Thompson's most recent electrometers, and a fine stratification tube for showing the effect of a magnet on the stratifications of electricity in an exhausted tube.

Considerable additions have been made to the workshop appliances, and they are now sufficient to do a great deal of the work and repairs that are required. A sum of money has been placed on the Estimates for this year to pay for the services of an instrument-maker: If this is granted, a considerable saving in the cost of new instruments, and of time, will be the result.

Library.

Tide-registers at Sydney and Newcastle; self-registered results at Sydney.

Daily and monthly publication of all these results, with an annual abstract of the whole, with barometric curves, &c.

Experiments on evaporation, testing and examining thermometers and other instruments.

Regular time-ball signals, &c.

The amount of work done for transit of Venus is difficult to estimate, but it certainly would have been easier to double the ordinary work than to do it.

1876.

During the current year it is the intention to proceed vigorously with the meridian circle as soon as it is put up. This work is urgent, because required for the trigonometrical survey. The new equatorial will be used for double stars measures, spectroscopic work, and observations of Jupiter's satellites, as suggested by Sir G. B. Airy, together with other extra meridian work. If possible, self-recording machines will be placed at some of the meteorological stations for the purpose of tracing storms more closely. The number of stations will be increased as far as possible.

NEW SOUTH WALES—TRANSIT OF VENUS OBSERVERS, 1874.

Sydney Observatory.

H. C. Russell, Astronomer.
H. A. Lenahan, First Assistant.
E. G. Savage, Second Assistant.

Woodford.

P. F. Adams, Surveyor General.
L. A. Vessey.
G. D. Hirst.
J. Bischoff (Photographer).

Eden.

Rev. W. Scott, Warden of St. Paul's College.
W. J. MacDonnell.
J. Watkins.
J. Sharkey (Photographer).

Goulburn.

Capt. F. Hixson.
Capt. A. Onslow.
Professor Liversidge.
A. Tornaghi (Photographer).

LIST OF METEOROLOGICAL STATIONS.

The private observers have removed from Thargomindah, Woodford, and Terara; and Dalwood does not send any observations.

Stations—

Thargomindah.	West Maitland.	Wollongong.
Tenterfield.	Lambton.	Moss Vale.
Grafton.	Newcastle.	Goulburn.
Inverell.	Orange.	Terara.
Bourke.	Bathurst.	Wagga Wagga.
Narrabri.	Forbes.	Cape St. George.
Armidale.	Kurrajong.	Queanbeyan.
Tamworth.	Mount Victoria.	Urana.
Goonoo Goonoo.	Woodford.	Deniliquin.
Port Macquarie.	Parramatta.	Moruya.
Murrurundi.	South Reef.	Kiandra.
Cassilis.	Sydney.	Bodalla.
Scone.	Liverpool.	Albury.
Muswellbrook.	Wentworth.	Cooma.
Dubbo.	Wilton.	Eden.
Mudgee.	Cordeaux River.	Fiji.
Dalwood.	Young.	New Guinea.

Books of 1874.

By purchase, 1874:—

Philosophical Magazine, 1874.
Quarterly Journal of Science, 1874.
Scientific American.
English Mechanic.
Astronomical Register, 1874.
Symons' Meteorological Magazine, 1874.
Nature, 1874.
Astronomische Nachrichten.
Proctor's Large Star Atlas.
" Universe.
W. R. Birt's Lunar Reports.
" Mare Serenitatis.
" Selections from Portfolio.
The Moon. Nasmyth and Carpenter.
Memoirs of Mary Somerville.
Year Book of Facts.
Symons' Rainfall, 1873.
Philosophical Transactions, R.S., London, 1865 to 1873. 18 volumes.

By gift, 1874:—

2 Moon Photos., Melbourne Observatory.
Greenwich Observations, 1866.
" Astronomical Results, 1866.
" Magnetical and Meteorological Observations, 1866.
1871 Jahrbücher der K. K. Central Anstalt für Meteorologie und Erdmagnetismus. Carl Jelenik.
Anuario del Real Observatorio de Madrid, 1868.

Observaciones

- Observaciones Meteorológicas de Madrid, 1865 to 1866.
 Resumen " " " " 1865 to 1866.
 Observaciones Meteorológicas " " 1866 to 1867.
 Quarterly Weather Report. Part 2, 1873.
 Report of the Meteorological Congress at Vienna.
 Report, Astronomer Royal, 1874.
 Journal, Scottish Meteorological Society, January and April, 1874.
 Quarterly Journal, Meteorological Society, April, 1874.
 L'Astronomie Pratique, par Candré et G. Rayet.
 Anales del Observatorio de Marina de San Fernando. Seccion 2, 1872.
 Meteorographo del Collegio Romano.
 Annalen Physikalischen, Central Observatoriums, by H. Wild, 1872, St. Petersburg.
 Jahresbericht des Physikalischen Central—Observatoriums für 1871 and 1872, by H. Wild,
 Director.
 Die Grundlagen der Gaussischen Theorie und die Erscheinungen des Erdmagnetismus,
 1829, by A. Erman und H. Petersen.
 Flutphanomen
 Umsetzung der Meere, 1869. }
 " " 1871. } Dr. J. Heinrich Schmick.
 Schwankungen des Seespiegels. }
 Meteorological results have been regularly received from Canada, India, Melbourne, New
 Zealand, Tasmania, Queensland, Batavia, Windsor Private Observatory.

Books purchased, 1875:—

- Philosophical Magazine, 1875.
 Quarterly Journal of Science, 1875.
 Silliman's American Journal. Month of January.
 Nautical Almanac, 1878. Two copies.
 Philosophical Transactions, Royal Society.
 Shortrede's Tables of Logarithms.
 Beer and Mœdler's Map of the Moon.
 Scientific American, 1875.
 Report, British Association, 1873.
 Astronomische Nachrichten, 1875.
 Astronomical Register, 1875.
 English Mechanic, 1875.
 Nature, 1875.
 Symon's Meteorological Magazine, 1875.
 Connaissance des Temps, 1875, 1876, et 1877.
 Solar Physics. Lockyer.
 Table of Logarithms. Babbage.
 Manual of Surveying for India.
 Hymer's Plane and Spherical Trigonometry.
 Kaemitz's Meteorology.
 Chemistry of Light and Photography. Vogel.
 Photozincography. James.
 507 Mechanical Movements.
 Comets and Meteors. Kirkwood.
 Storms. Blasius.
 Astronomical Society's Notices. Vol. xxiv.
 Englishmen of Science. Galton.
 Report, British Association, 1874.
 New Manual of Logarithms to seven places of decimals. Dr. Bruhns.

Books presented to Observatory, 1875.

England:—

- Reports, Astronomer Royal, Greenwich, 1874 and 1875.
 Report on Weather Telegraphy and Storm Warnings. Presented to Meteorological
 Congress, Vienna.
 Quarterly Weather Report, April to June, 1873. Part 2.
 Report, Meteorological Committee of the Royal Society, 1870 and 1873.
 Quarterly Journal, Meteorological Society, December, 1873.
 Weekly Reports, India. H. F. Blanford, Esq.
 Proceedings, Royal Colonial Institute.
 Quarterly Journal, Meteorological Society. No. 15. July, 1875.
 Annual Report, Argentine Meteorological Office, 1874.
 Hourly Readings of Self-recording Instruments at Seven Observatories of Meteorological
 Offices.
 Quarterly Weather Report. Part 1, 1874.
 Report, Meteorological Committee, 1874.
 Greenwich—R.A. of Circumpolar Stars, &c.
 " Results for 1866 and 1872.
 Memoirs of Royal Astronomical Society and Monthly Notices.
 Report of First International Committee, Vienna Congress.
 Leyton Astronomical Observations. 1865 to 1872.
 Contributions to Selenography. W. R. Birt.
 Outline Lunar Map. Two pamphlets. W. R. Birt.
 Report of Lunar Committee for mapping Moon. W. R. Birt.
 Journal of the Transactions of the Victoria Institute.

Report,

- Report, Permanent Committee on First International Meteorological Congress at Vienna, 1874, and Meetings held at Vienna and Utrecht, 1873 and 1874. Non-official. No. 9.
 Winds of Northern India. H. F. Blanford.
 Meteorological Report, Government of Bengal.
 Tidal Observations. Two pamphlets. From British Association for the Advancement of Science. 1870 and 1872.
 Memoirs of Royal Astronomical Society. Vol. 38—Parts 1 and 2, vol. 39 and vol. 40.

America:—

- Historical Notes on the System of Weather Telegraphy. Cleveland Abbé.
 Observations on Total Eclipse of the Sun, 1869. Cleveland Abbé.
 Daily Bulletin of Signal Service, U. S. A. Dec. 1872, Jan. 1873.
 Washington Telegraph Cipher.
 Report, Chief Signal Officer, War Dept., 1874.
 On the Reclamation of Tide Lands. Mitchell.
 Reports on Tides and Currents, New York Harbour.
 Reports of Surveys, Merrimack River.
 On the Air contained in Sea-water. Jacobsen.
 Cape Cod Ship Canal.
 Report on the Nicaragua Route.
 Special Survey, Harbour of Provence Town.
 Report concerning Martha's Vineyard, and Nantuket.
 United States Coast Survey. Appendices 8, 9, 10, 11, 13, 14, 18, and 19.
 Lecture on Tides and their action in Harbours.
 Tide-tables for the Pacific Coast. 1875.
 Tide-tables for the Atlantic Coast, 1875.
 Appendix, Coast Survey Report, 1871. Tidal Researches. By W. Ferrell, A.M.
 Geographical names on Coast of Maine. Ballard.
 Report from Observations made at Magnetical Observatory, Washington, between 1867 and 1869. Schott.
 Notes on Measurements of Terrestrial Magnetism. Schott.
 Total Eclipse of Sun, Aug. 7th, 1869.
 Total Eclipse of Sun, Dec. 22nd, 1870.
 Observation of Encke's Comet. Harkness.
 Astronomical Observations, 1866.
 Astronomical and Meteorological Observations, 1867, 1868, and 1870.
 Appendix No. 1 for 1870 on Difference of Longitude, Washington and St. Louis.

Colonial:—

- Meteorological Results, Dominion of Canada.
 First Melbourne General Catalogue, 1,227 Stars.
 Ninth Report, Government Astronomer, Melbourne.
 Results, Observations in Meteorology, Terrestrial Magnetism, &c., taken at Melbourne Observatory, 1872.
 Third Report, Meteorological Office, Dominion of Canada, 1873.
 Observations in Meteorology, Terrestrial Magnetism, &c., &c., Melbourne, 1873 and 1874.
 Report, Royal Society, Tasmania, 1873.
 Windsor Meteorological Observations, taken by J. Tebbutt, Esq.
 Melbourne Monthly Returns, Meteorology, &c.
 Mines and Minerals of New South Wales.
 Report of Board of Visitors and Acting Astronomer's Report, Melbourne Observatory, 1874-1875.
 Queensland Meteorological Abstracts, 1875.
 Tasmanian " "
 New Zealand " "
 India " "

Continental.

- Almanaque Nautico 1875 de la Ciudad de San Fernando.
 Publicationen der Hamburger Sternwarte. No. 1. Director George Rümker.
 Annales de l'Observatoire de Moscou. Vol. 2.
 Zodiacallicht—Beobachtungen in den letzten, 29 Jahren, 1847-1875. Von Dr. Edward Heis.
 Record of Daily Variation of Temperature. Dr. J. Hann, Wein.
 Berliner Astronomischen Jahrbuch für 1875.
 Anales del Observatorio de Marana de San Fernando. 1873.
 Almanaque Nautico, 1876.
 Annalen der Sternwarte in Leiden.
 Annales Météorologiques de l'Observatoire Royale de Bruxelles, 1867 et 1868.
 Annales de l'Observatoire Royale de Bruxelles, 1863. Tome XVIII.
 Notices extraites de l'Annuaire, Bruxelles, pour 1868.
 Sur les Etoiles Filantes périodiques du mois d'Aout, 1867.
 Etoiles Filantes du milieu de Novembre, 1867. } Bruxelles.
 Notices extraites de l'Annuaire pour 1874. }
 Annales de l'Observatoire Royale. Tome XXII., 1873. }
 De l'Astronomie dans l'Académie Royale de Belgique, Rapport Séculaire (1782-1872) par Ed. Mailly.
 Tableau de l'Astronomie dans l'Hémisphere Austral et dans l'Inde, par Ed. Mailly, Belgique.
 Florence.

Florence.

- l'Orologio Misterioso.
 Cenni Sulla costruzione dei Magnetographi auto registratori.
 Cenni storici, dell Orologeria, &c.
 Storia de un Orologio da Tasca.
 Memorie del R. Osservatorio di Firenze. Tomo I, num. 1.
 Discrizione ed Esperienze sopra uno Scappamento libero.

Rome.

- Meteorografo del Collegio Romano.
 Note Spettroscopiche sul Sole.
 Sugli Spettri prismatici de Corpi Celesti.
 Sulle Osservazioni Spettroscopiche del bordi e delle protuberanze solari, Nota III 1871, and
 Nota V 1872.
 Sul Cannocchiale Zenitale, dell Osservatorio della R. Università sul Campidoglio.

Milan.

- Osservazioni Astronomiche diverse.
 Sull'Eclissi Solare Totale del 3 giugno 1239.
 Almanaque Nautico, 1876 & 1877.
 Annales del Observatorio de Marina, de San Fernando.
 Observations Meteorological, 1873, de San Fernando.
 Circulars zum Berliner Astronomischen Jahrbuck.
 Jahrbuck der K. K. Central Austalt fur Meteorologie und Erdmagnetismus Neue folge
 IX, Baud Jahrgang 1872, and Neue folge X. Baud Jahrgang 1873.
 Beobachtungen auf der Grossherzoglichen Sternwarte.
 Norsk Meteorologisk Aarbog, 1872 & 1873.
 Mémoires de l'Académie Imperiale de Sciences de St. Pétersbourg, VII^e Série, Tome XIX,
 No. 10, et Dernier die Polhöhe von Pulkowa von Dr. Magnus Nyren.
 Observations de Poulkova, par Otto Struve.
 Observations faites au Cercle Méridien.
 Jahresbericht am 27 mai, 1874, dem comite der Nicolai Hauptsternwarte.
 Amphiorama, ou la Vue du Monde des Montagnes la Spezia.
 Do. do. 2^e Notice la Marée dans les bassin du Spitzberg, &c.

Denmark.

- Tillæg til Aarbger for Nordisk old Kyndeghed og historie aargang 1872 & 1873. (Copen-
 hagen.)
 Mémoires de la Société Royale des Antiquaires du Nord. (Copenhagen.)

Berlin.

- Bericht über die Verhandlungen der vom 30 Septr., bis 7 Oct., 1867, zu Berlin abgehaltenen
 allgemeinen Conferenz der Europäischen Gradmessung.
 General Bericht über die Mitteluropische Gradmessung, 1863, 4, 5 & 6.
 General Bericht über die Europäische Gradmessung 1868-9-70-1-2 & 3.

H. C. RUSSELL.

Royal Observatory, Greenwich,
London, S.E., 18 August, 1875.

My dear Sir,

I am very glad to have seen you in England, especially with reference to the Transit of Venus business, which you have conducted with so much general success, and so much honor to your Observatory and your local Government.

From instances like this, I think that the inhabitants and Governors of your great Colony will see what important services you are able to render to Astronomy by virtue of your position both in longitude and in latitude.

That in longitude will enable you to aid most materially in carrying out an object of which I have publicly explained the importance, namely, something approaching to a continuous series of observations of Jupiter's satellites; and I need not mention the excellence of your position as a fundamental point for nautical reference in the vast Southern Pacific Ocean.

Of the value of your position in latitude, besides various advantages at all times obvious, there is a special example approaching, namely, the determination of the parallax of Mars (and therefore of the sun's distance) at the remarkably favourable opposition of 1877, by observations of extrameridional transits east and west, confined within your own Observatory, and needing no co-operation of others. I warn you that the instrument required is an equatorial of optical excellence, and specially of extreme firmness of mounting. If you are not equipped with such a one, I recommend you to lose no time in procuring one.

I shall be always happy to communicate with you on your astronomical enterprises.

H. C. Russell, Esq.

I am, &c.,
G. B. AIRY.

1875.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

IMMIGRATION.
(EXPENDITURE FOR, &c.)

Ordered by the Legislative Assembly to be printed, 21 December, 1875.

IMMIGRATION.

The Act 36 Vic. No. 21, to raise £509,780 by Funded Stock, included £50,000 for Immigration. £158,355 of this Loan was raised on 10 July, 1873.

The expenditure, by the late Administration, up to the 9th February, 1875, was	£17,373 12 5
The expenditure, by the present Administration, from the 9th February, 1875, to date, is	£11,790 18 5
Present balance of Immigration Vote	20,835 9 2
<i>Add</i> —Amount of unexpended deposits for intending Immigrants	7,912 2 6
Total available	£28,747 11 8

The Treasury,
17 December, 1875.

1875-6.

NEW SOUTH WALES.

SYDNEY BRANCH ROYAL MINT.

(DESPATCH.)

Presented to Parliament by Command.

THE SECRETARY OF STATE FOR THE COLONIES to GOVERNOR SIR HERCULES ROBINSON.
(No. 84.)

Downing-street,
8 December, 1875.

SIR,

I have the honor to transmit to you, for your information and for that of your Government, a copy of a communication received through the Treasury from the Deputy Master of the Mint, with a report on the weight and fineness of gold coins struck at the Sydney Branch of the Royal Mint.

I have, &c.,
CARNARVON.

[Enclosure.]

The Royal Mint to The Treasury.

Royal Mint,
6 November, 1875.

Sir,

I have the honor to acquaint you, for the information of the Lords Commissioners of Her Majesty's Treasury, that the following returns have been duly transmitted to this Department by the Deputy Master of the Sydney Branch of the Royal Mint, in conformity with the Order in Council of the 19th May, 1853.

I.—Twelve monthly returns, showing the transactions in bullion of the Sydney Branch of the Royal Mint, from July, 1874, to June, 1875, both inclusive.

The amount of coin issued to the public during these months was as follows:—

	1874.	Sovereigns. oz.	Half-sovereigns. oz.
In July...	17,977.95
August	52,650.67	14,382.12
September	62,923.61	Nil
October	41,092.28	"
November	60,611.79	"
December	91,176.34	"
1875.			
January	12,841.64	"
February	35,700.08	"
March	88,607.95	"
April	23,629.08	"
May	53,935.83	"
June	55,733.00	"

The amount charged for coining was three-pence per oz. standard.

II.—Four returns of waste in coining gold, for the quarters ending 30th September and 31st December, and 31st March and 30th June, 1875.

I have also to request you to submit to their Lordships the report enclosed, being the forty-second, on the weight and fineness of the gold coins produced at the Sydney Branch of the Royal Mint, during the twelve months from July, 1874, to June, 1875, both inclusive, that report being based on the assay of pyx pieces, transmitted by the Deputy Master for examination, in accordance with the provisions of the Order in Council before referred to.

A copy of the report has been forwarded as usual to the Deputy Master at Sydney, for his information.

I have, &c.,
C. W. FREEMANTLE.

[Sub-enclosure.]

Forty-second Report addressed to the Lords Commissioners of Her Majesty's Treasury on the weight and fineness of gold coins struck at the Sydney Branch of the Royal Mint, and transmitted by the Deputy Master for examination, in accordance with the provisions of Her Majesty's Order in Council of the 19th August, 1853.

PIECES taken without preference by the Colonial Secretary, at the deliveries of the Sydney Mint.

Quarter ending.	Denomination of Coin.	Number of Pieces.	Total Weight.	Average Weight of a Piece.	Average proportion of Gold in 1,000 parts.
30 September, 1874.....	Sovereigns.....	92	oz. 23·626	oz. ·2566	916·751
	Half-sovereigns...	52	6·676	·1283	916·711
31 December, 1874.....	Sovereigns.....	154	39·552	·2568	916·785
31 March, 1875.....	Do.	110	28·247	·2567	916·773
30 June, 1875.....	Do.	108	27·737	·2568	916·694

The standard weight of the sovereign is oz. 0·25682; and the standard fineness (in 1,000 parts) is 916·666.

Royal Mint, 6 November, 1875.

C. W. FREEMANTLE,
Deputy Master and Comptroller.

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

SHERIFF'S BAILIFF AT TAMWORTH.
(REMOVAL OF MR. DEAN.)

Ordered by the Legislative Assembly to be printed, 17 May, 1876.

THE SHERIFF TO THE UNDER SECRETARY, DEPARTMENT OF JUSTICE AND PUBLIC INSTRUCTION.

Sheriff's Office,
Sydney, 22 March, 1876.

Removal of Mr. Dean, Sheriff's Bailiff, Tamworth.

I HAVE carefully read the memorial from certain residents of Tamworth, &c., protesting against the removal of Mr. Dean, Sheriff's Bailiff, from that district. They commence by stating that, as far as they can learn, Mr. Dean has not been guilty of any error of commission or omission which will warrant such a course. I am at a loss to know where they obtained their information, unless from Mr. Dean himself, who seems to me unable to understand when he does commit an error; and when called upon to explain his conduct, simply replies that he was ignorant of the fact that it was against the rules of the department. They then express their opinion of the way Mr. Dean has performed his duty for twelve years, when it is probable that very few know anything of him in his official capacity. His behaviour in Court, for which he is said to have been complimented by the Judges, may have been everything which one could desire, but that does not prove him to be efficient, impartial, or zealous in the more important duties of a Bailiff. I have received many complaints from gentlemen who have had experience of him as a Bailiff; and on one occasion an attorney asked me to send the Muswellbrook Bailiff to execute a warrant, as he knew it was no use sending it to Mr. Dean. This proves his knowledge of the district to be of little value. My experience of him is, that he considers himself quite independent of this office, and particularly of the Sheriff as head of the department. On one occasion he went to Maitland as a witness and did not inform me of it, although he was absent some days. I have heard of a Clerk of Petty Sessions being dismissed for a similar offence. On a late occasion I sent him a warrant against a juror for £2, and although this man states that he suffers from a nervousness which prevents him sitting on the Jury, and was in a house close to the town, he charged him half-a-guinea, which he must have known to be illegal.

The memorialists state that he is as widely respected as known, through his integrity and his avoidance of any intermeddling with local public affairs. I confess this statement surprised me, for I have in my possession a letter written by Mr. Dean himself, in which he says "I have been a political enthusiast for five and twenty years, having taken part in most of the different political movements of the day in Sydney and Maitland in by-gone times, and even since I obtained my present appointment I must candidly confess that, in ignorance of the fact that Government servants are not supposed to take part in any political matters, I did at times openly and without fear interest myself in such affairs. I cannot believe that Mr. Dean could have been a political enthusiast for years and taken part in so many political movements without knowing that a Government officer, particularly a Sheriff's officer, should refrain from taking part in any proceeding likely to cause him to be viewed in the light of a partisan; and I am firmly convinced that his being summoned to Maitland in the case of *Macquarie v. Bennett* was in consequence of his known political bias, and that he was afraid to report to me his absence from the district, hoping that I should not hear of it.

I have not ordered his removal hurriedly; but after eighteen months' experience am satisfied that, in the interest of all concerned, the removal of certain Bailiffs has become necessary. I have taken great trouble to make such arrangements as will, I hope, render the department more efficient, and place these officers at the smallest expense possible in districts where they will be free from the suspicion which now surrounds them.

In Mr. Dean's case he will go to a district where he will receive a higher salary than he has hitherto done.

Before closing I think it well to add that I had not read the debate in Parliament to which Mr. Dean refers, and no influence has been brought to bear to induce me to remove him. It is part of an arrangement in which three other officers are concerned, and it is the only power I can exercise when I find their action capable of being viewed with suspicion. The Sheriff is entirely at the mercy of his Bailiffs who, in these remote parts, can find reasons for not executing warrants whenever they feel inclined. I find such difficulty in controlling them that I feel convinced it is necessary to remove them whenever suspicion is excited by their conduct.

CHARLES COWPER,
Sheriff.
Inform

Inform that the Sheriff is responsible for the actions of his subordinate officers. The control of these officers and the departmental details which the Sheriff may deem necessary for the due fulfilment of those duties is properly and necessarily vested in the Sheriff; and I am consequently not in a position to interfere with the exercise by him of the power to make such arrangements as he may deem it expedient to make.—J.D., 29/3/76.

Prepare letter for memorialists. Inform the Sheriff.—29/3/76. Messrs. Wisdom, Dangar, and Cohen, M.P.'s, and Sheriff.—30 March, 1876. Resub. 11 May, /76.

MR. W. WALKER TO THE MINISTER OF JUSTICE AND PUBLIC INSTRUCTION.

Windsor, 22 March, 1876.

DEAR MR. DOCKER,

I take the liberty of writing you on behalf of a friend, Mr. Peter Dean, Sheriff's Bailiff at Tamworth. It seems the Sheriff has recommended his removal to some other place. Now, as Mr. Dean has been a long time at Tamworth, has acquired the confidence and respect of the people there, and has invested all his means in a little property in the locality for the benefit of himself and his large family of ten children, he considers it would be a great hardship if he were removed. If any fault could be found with him in the execution of his office, of course it would be another matter, but as I believe this is not the case, I shall be glad if you will interfere, so as to prevent his removal.

I remain, &c.,
WM. WALKER.

To the Honorable the Minister for Justice and Public Instruction for the Colony of New South Wales.

The humble Memorial of the undersigned Residents of Tamworth and the District of Liverpool Plains, praying that Mr. Peter Dean, Sheriff's Bailiff, may not be removed from the District,—

RESPECTFULLY SHOWETH:—

1. That your Memorialists have learned with grief and astonishment that the Sheriff contemplates removing Mr. Peter Dean, Sheriff's Bailiff at Tamworth, to another District, the said Bailiff having been advised to hold himself in readiness for removal.

2. That so far as your Memorialists can learn, no error of commission or omission in his official duties, as between the Sheriff's Bailiff at Tamworth and his superiors in the department, has occurred to warrant such a hardship being inflicted on Mr. Dean, after a long period of faithful service, as the breaking up of his home and the abrupt severance of his family ties, by transference to another district.

3. That the said Sheriff's Bailiff at Tamworth has during a period of over twelve years performed without fear or favour all the duties of his office with general satisfaction, has won the respect and esteem of all with whom he has come in contact by the manner in which such duties have been uniformly done, and has for his zeal and discretion been more than once complimented in public Court by various Judges.

4. That Mr. Dean's long residence here has given him an intimate knowledge of this extensive district and its people, which renders him very much more efficient here than he could possibly become elsewhere for a long period. The knowledge so gained would be useless in any new station, while a stranger coming to Tamworth would be years in gaining the same necessary topographical knowledge of, and an equal efficiency to perform duties exercised over an immense expanse of country like the Liverpool Plains. There would be a certain detriment to the public convenience by the removal of Mr. Dean from Tamworth, it being impossible that a stranger can satisfactorily effect what is required of the Bailiff in connection with the civil business of the Supreme and District Courts at Tamworth.

5. That the Sheriff's Bailiff at Tamworth is, as a private citizen, as widely respected as he is known, through his integrity, and his avoidance of any intermeddling with local public affairs.

6. That the Sheriff's Bailiff at Tamworth has a large family dependent upon him, which he could only have brought up by practising the most rigid economy; and the effect of the removal projected to one situated as Mr. Dean at present is, can only be pecuniary ruin and the scattering of his family at a time when they most need a parent's care and control. With the assistance of relatives he has lately been enabled to become a freeholder of the town of Tamworth; but if he be removed, the inevitable disposal of his property, thrust into the market under a forced sale, and in its present condition, would subject him to irreparable pecuniary loss, the loss of the results of years of care and hard labour.

7. That if the introduction of Mr. Dean's name into the debate in the Legislative Assembly on Wednesday, the 23rd of February, relative to an appointment in the Tamworth Post Office, has led to his removal, your Memorialists can positively assert that Mr. Dean has for several years past had no acquaintance with the Honorable Member for Liverpool Plains, and has no knowledge of the circumstances alluded to in the published report of that debate.

Your Memorialists, therefore, in expressing their earnest wishes that Mr. Dean may not be removed, and while distinctly disclaiming any desire to unnecessarily interfere with departmental arrangements, humbly beg that you will be pleased to give the foregoing representations your favourable consideration, and to take such steps for the relief of your Memorialists as to you in the premises may seem meet.

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

Name.	Occupation.	Residence.
W. H. Wood ...	Surgeon... ..	Tamworth.
Phillip Gidley King ...	Grazier	Goonoo Goonoo.
John Gill, J.P. ...	do	Moonby.
Alexander Bowman, J.P. ...	do	Terry-hi-hi.
George A. Tighe, J.P. ...	do	Weriss Creek.
Wm. F. Tribe ...	Solicitor	Tamworth.
John Patterson ...	do	do.
Chas. Wm. Bedwell ...	do	do.
Richard A. Dowe ...	do	do.
Thos. M. Newman ...	do	do.

R.

Name.	Occupation.	Residence.
R. W. Thompson...	Solicitor...	W. Maitland.
John F. Winfield	Clergyman	Tamworth.
Andrew Armstrong	Presbyterian Minister...	do.
Patrick D. Ryan	Catholic Priest...	do.
Henry Cornyman...	Wesleyan Minister.	do.
W. T. Cadell	Squatter	Dungannon.
Wyman Brown, M.M.B....	Miner	Peel River.

Here follow 289 signatures, consisting of merchants, contractors, auctioneers, innkeepers, millers, surveyors, storekeepers, bank managers, farmers, saddlers, blacksmiths, bakers, tailors, shoemakers, carpenters, carriers, bricklayers, &c., &c., &c.

The Sheriff, for consideration and report.—J.D., 9/3/76.

The Sheriff, B.C., 10th March, 1876.—W.E.P.

Report herewith.—C.C.

B.C., 23/3/76.—The Under Secretary, Dept. of Justice.

THE UNDER SECRETARY, DEPARTMENT OF JUSTICE AND PUBLIC INSTRUCTION, TO THE SHERIFF.

Sydney, 30 March, 1876.

SIR,

Referring to your report of 22nd instant on memorial from the inhabitants of Tamworth and Liverpool Plains, praying, for the reasons therein set forth, Bailiff Dean may not be removed from Tamworth, I am directed by the Minister of Justice and Public Instruction to inform you that the memorialists have been apprised, through Messrs. Wisdom, Dangar, and Cohen, M.P's., that you are responsible for the action of your subordinate officers, and that their control, and the departmental details which you may deem necessary for the due fulfilment of their duties, is properly and necessarily vested in you, and that Mr. Docker is not in a position to interfere with the exercise by you of the power to make such arrangements as you may deem expedient.

I have, &c.,

W. E. PLUNKETT,
Under Secretary.

THE UNDER SECRETARY, DEPARTMENT OF JUSTICE AND PUBLIC INSTRUCTION, TO R. WISDOM,
T. G. DANGAR, AND H. E. COHEN, ESQs., M.L.A.'s

Department of Justice and Public Instruction,
Sydney, 30 March, 1876.

GENTLEMEN,

Referring to memorial presented by you from the inhabitants of Tamworth and the District of Liverpool Plains, stating that the Sheriff contemplates removing Mr. Peter Dean, Sheriff's Bailiff at Tamworth, and praying that, for the reasons therein set forth, Mr. Dean may not be removed from that district, I am directed by the Minister of Justice and Public Instruction to inform you that the Sheriff being responsible for the actions of his subordinate officers, their control, and the departmental details which he may deem necessary for the due fulfilment of their duties, is properly and necessarily vested in him, and that Mr. Docker is not in a position to interfere with the exercise by him of the power to make such arrangements as he may deem expedient, of which you will perhaps have the goodness to apprise Memorialists.

I have, &c.,

W. E. PLUNKETT,
Under Secretary.

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

CURATOR OF INTESTATE ESTATES.

(AMOUNTS RECEIVED BY, FROM 1865 TO 1874.)

Ordered by the Legislative Assembly to be printed, 26 May, 1876.

1. The amount of Commission at 5 per cent. on amounts realized in Intestate Estates, received by the Curator of Intestate Estates during each year, commencing 1865 and ending in 1874 respectively, was as follows:—

1865	£238	18	9
1866	527	7	0
1867	414	18	4
1868	351	8	0
1869	1,736	4	9
1870	128	15	3
1871	615	1	7
1872	696	16	5
1873	473	3	1
1874	813	4	2

The sum of £3,597 10s. 4d., being 3 per cent. on amounts actually collected, was paid to the agents of the Curator in various portions of the Colony for collecting and realizing assets; and the balance (£2,398 7s.), at 2 per cent., was paid into the Treasury "to the public uses of the Colony."

2. It has not been the practice of the Curator to employ an attorney "to transact the business in connection with Intestate Estates"; but it has been the practice, whenever an intestate died, seized of real estate, prior to a sale of such estate, to employ an attorney to examine and report upon the title of such intestate thereto, for the purpose of giving intending purchasers information as to title, &c., as it had been found from experience that real estate realized considerably more where such information could be readily given, than if the Curator's bare title and interest were sold without particulars as to such title being obtainable. It has also been the practice for the attorney to approve of draft conveyances.

3. The following amounts were paid to such attorney, out of assets in estates benefited by his professional skill, viz:—

1865	£53	11	6
1866	86	8	0
1867	16	5	8
1868	174	14	8
1869	251	11	6
1870	27	5	9
1871	12	1	8
1872	21	11	3
1873	16	10	0
1874	7	19	8

4. It has not been the practice heretofore, and it is not the practice now, for the Curator to appoint an agent "to do the business devolving on him as Curator"; but it has been the practice heretofore, and it is the practice now, for the Curator to appoint an agent in each Police District in the Colony, to collect and realize assets in Intestate Estates, and to pay claims verified by affidavits of creditors, after such claims have been allowed by the Curator. Clerks of Petty Sessions are appointed where practicable. These agents act merely as collectors, under the direction of the Curator, and receive 3 per cent. on amounts collected, but they do not receive any fee or allowance for their trouble in paying debts or for performing any extra duty devolving upon them in connection with Intestate Estates.

5. The names of the attorneys employed by the late Curator, from 1865 to 1874, are E. A. Mackechnie, and Robert William Robberds. The present Curator, being an attorney, has not found it necessary since his appointment to consult an attorney.

6. If this question refers to the Sydney agent, the name of the agent employed from 1865 to 1874 is Thomas Gill, now deceased. The name of the present Sydney agent is Thomas John Chapman.

7. It has been the practice, and it is still the practice, for the Curator to deposit the assets realized in Intestate Estates to his credit as Curator, and to pay these amounts quarterly into the Colonial Treasury.

Supreme Court, Sydney,
25th May, 1876.

T. M. SLATTERY,
Curator of Intestate Estates.

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

AGRICULTURAL SOCIETIES.

(PECUNIARY ASSISTANCE VOTED BY PARLIAMENT DURING THE YEARS 1873, 1874, AND 1875.)

Ordered by the Legislative Assembly to be printed, 6 June, 1876.

(2.) Aid to Agricultural Societies:—*Mr. Farnell*, on behalf of *Mr. F. B. Suttor*, asked the Colonial Secretary, pursuant to Notice,—

(1.) What amount of money has been voted by this House towards assisting the Agricultural Societies of the Colony, giving the amount voted each year?

(2.) The names of the Societies, the number of Members, and the amount of aid received during each year?

Mr. Robertson answered,—As the question asked by the Honorable Member travels over very extensive ground, to reply to it would require a very long statement indeed, which I do not think it necessary for me to make; but I will lay upon the Table of the House, so soon as I can have them prepared, Returns which will furnish the required information.

RETURN showing the amount of money voted by the Legislative Assembly to assist the Agricultural Societies of the Colony, for the years 1873, 1874, and 1875.

Year:	Amount Voted.
1873 (Supplementary Estimates)	£ 3,000.
1874 (Supplementary Estimates)	4,000
1875	3,000

Colonial Secretary's Office,
Sydney, May, 1876.

RETURN showing the names of the Agricultural Societies assisted from Public Funds voted in 1874 and 1875, with the number of Members and the amount of aid received by each Society.

Name of Society.	Number of Members.		Amount of Aid.	
	1874.	1875.	1874.	1875.
			£ s. d.	£ s. d.
Armidale and New England Agricultural and Pastoral Association	201			115 7 4
Bega Agricultural and Pastoral Society	43	49	21 16 10	29 15 6
Bombala Pastoral, Agricultural, Mineral, and Industrial Society	115	59	123 18 11	18 9 4
Braidwood Pastoral and Agricultural Association		57		35 13 9
Brewarrina Pastoral and Agricultural Association	45		170 8 7	
Burrangong Pastoral and Agricultural Association (Young)	77	73	414 18 10	45 14 2
Central Australian Pastoral Association (Bourke)	50		181 3 4	
Clarence Pastoral and Agricultural Society (Grafton)	89	111	95 15 11	66 11 11
Forbes Pastoral and Agricultural Society		106		67 17 2
Hawkesbury Agricultural Association (Windsor)		100		29 16 5
Hunter River Agricultural and Horticultural Association (West Maitland)	68	242	340 14 6	133 11 5
Inverell—Pastoral and Agricultural Association of Central New England ...	131	130	247 4 0	76 18 5
Kiama Agricultural Society		195		118 6 0
Liverpool Plains Pastoral, Agricultural, and Horticultural Association (Tamworth)	151	161	357 12 5	151 3 2
Macleay River Agricultural Society (West Kempsey)		120		23 17 1
Monaro Pastoral and Agricultural Association (Cooma)		60		62 3 3
Moruya Agricultural Society		63		15 19 7
Mudgee Pastoral and Agricultural Association		64	119 13 7	46 10 2
Murrumbidgee Pastoral Association, (Wagga Wagga)		63		177 19 2
Namoi Pastoral and Agricultural Association (Narrabri)	80	49	104 10 5	60 12 3
New South Wales—Agricultural Society of (Sydney)		1,149	816 4 7	744 9 0
Northern Agricultural Association (Singleton)	256	261	621 0 0	163 4 3
North-western Pastoral and Agricultural Association (Dubbo)	71	83	155 3 7	108 10 6
Orange Agricultural Society	114	94		109 2 1
Richmond River Agricultural and Horticultural Society (Casino)		46		28 6 6
Shoalhaven Agricultural and Horticultural Association		267		83 11 8
Southern New England—Pastoral and Agricultural Association for (Uralla)	216	216	87 15 7	64 7 11
Tumut Agricultural and Pastoral Association		90		70 2 6
Ulladulla Agricultural Association (Milton)		72		23 5 1
Upper Hunter Pastoral and Agricultural Association (Muswellbrook)		163		97 3 11
Wahgunyah, Corowa, and Murray Valley Agricultural Society (Corowa) ...	38	70	45 15 6	57 12 0
Wellington Pastoral and Agricultural Society		95		59 6 7
Western Agricultural, Horticultural, and Pastoral Association (Bathurst) ...	110	98	96 3 5	61 7 2
Yass Pastoral and Agricultural Association		67		53 1 9

Colonial Secretary's Office,
Sydney, May, 1876.

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

AGRICULTURE.

(ABSTRACT RETURN OF, FOR THE YEAR ENDING 31 MARCH, 1876.)

Ordered by the Legislative Assembly to be printed, 11 August, 1876.

ABSTRACT RETURN of AGRICULTURE for the year ending 31 March, 1876, showing the number of Holders of Land (exclusive of the area occupied for Pastoral purposes) exceeding one acre, distinguishing Freeholds under Conditional Purchase from other Freeholds and Leaseholds of Land Conditionally Purchased from other Leaseholds, together with the quantity cultivated and the produce thereof; as also the quantity of Land enclosed but not in cultivation, and the area unenclosed in each Police District of the Colony.

AGRICULTURE.

the Area occupied for Pastoral purposes) exceeding one Acre, distinguishing Freeholds under Conditional Purchase from other the Produce thereof, as also the quantity of Land enclosed but not in Cultivation, and the Area unenclosed in each Police

Arrowroot	Crops.						Produce.														Vineyards.						
	Sown Grasses.		Vineyards.	Gardens and Orchards.	All other in Crop.	Total number of Acres under Crop.	Wheat.	Maize.	Barley.	Oats.	Rye.	Millet.	Potatoes.	Tobacco.	Sorghum and Imphee (Grain).	Sugar-cane Crown.	Sugar produced.	Arrowroot.	Hay.				Wine-making.		Table use.		
	For Hay.	For Green Food for Cattle.																	Wheat.	Barley.	Oats.	Sown Grasses.	No. of Acres.	Wine produced.	Brandy manufactured.	No. of Acres.	Quantity obtained.	Vines unproductive.
acs	acres	acres	acres	acres	acres	bushels	bushels	bhls	bushels	bshls	bshls	tons	lbs.	tns	cwt.	cwt.	lbs.	tons	tons	tons	tons	galls.	galls	tons	acres		
43	206	497	241	64	25674	227875	6515	7061	60293	55	...	583	8120	...	...	...	...	1181	120	1394	12	402	78292	15	17	80
37	260	556	109	11	5242	27369	1344	771	9317	17	...	194	1200	...	...	...	...	318	8	649	71	509	139850	4	2	42
...	2	13	15	103	1134	9986	190	98	4260	20	...	12	15940	...	...	...	...	43	35	...	...	12	1950	...	...	...
...	69	69	32	...	808	3443	40	594	1835	...	...	4	...	...	...	...	...	78	3	236	...	69	17420	...	...	...
80	529	1136	458	178	32860	268673	8089	8524	75705	99	...	790	25260	1621	131	2314	83	993	237512	754	19	10	123
30	123	12	209	29	5697	42095	10047	729	6496	125	...	1058	...	...	...	...	...	329	11	776	46	12	3600	...	...	...
44	53	4	96	4	2351	16646	1661	111	4145	...	...	314	...	...	...	...	...	124	18	597	38	3	220	...	...	...
2	76	...	24	3	579	3537	625	12	1100	20	...	101	...	...	...	...	...	67	...	439	8	...	...	...	...	...
...	51	...	144
76	253	16	358	37	10596	78102	15022	902	16047	218	...	1717	571	29	1957	92	15	3820	...	1	7	...
...	34	56	52
...	18	16	8	6
...	36	35	...	9
...	88	56	103	8	15
57	10	0	49	4	4850	34046	8165	1199	3027	187	...	905	223	9	677	77	7	440	...	2	2	...
212	833	41	179	34	8869	42570	18806	2200	8417	610	...	1462	566	26	1378	423	38	1750	...	2	2	1
70	8	...	2	...	504	4090	1497	290	81	25	...	62	61	1	49
...	83	1	16059	98259	44363	3842	7557	343	15	1091	682	5	2174	195
339	851	50	313	39	29352	178965	72831	7531	19082	1165	15	3520	1532	41	4279	695	45	2190	...	4	4	1
33	325	7	63	1	1318	60	18270	993	500	45	...	594	...	...	...	...	...	8	11	154	41	...	...	6	4	1
29	692	...	41	6	2560	30	89580	2460	90	150	...	244	...	...	...	...	...	...	13	68	75	...	...	...	...	...
2	7	...	2	...	99	...	2190	60	80	40	...	47	...	...	...	...	...	...	15	18	...	...	...	...	...	...
...	...	...	9	...	340	...	12970	610	210	...	...	206	...	...	...	...	...	...	10	34	9	...	...	...	...	...
64	1024	8	115	7	4308	90	123010	4128	880	235	...	1091	...	...	...	...	...	8	49	274	125	...	...	6	6	1
102	2326	32	154	14	4067	873	2075	212	2469	775	...	1365	...	...	...	...	...	16	...	51	83	2	500	...	1	30
61	1029	5	247	69	2001	1249	285	57	275	102	...	533	...	...	...	...	...	...	7	130	47	3	200	...	1	...
8	237	...	8	...	317	50	1430	100	84	15	...	63	...	...	...	...	...	...	...	...	3	...	...	...	...	...
...	685	...	54	4	1026	284	934	126	140	112	...	244	...	...	...	...	...	...	7	...	8	...	...	...	...	...
171	4778	37	465	87	7413	2456	4724	495	2998	1004	...	2206	23	...	246	138	5	700	...	1	1	30
16	39	...	17	6	1125	8007	200	323	3798	2	...	465	...	...	...	...	...	105	7	944	19	...	...	...	...	...
42	53	...	29	5	838	2375	...	175	1587	40	...	112	...	...	...	...	...	146	29	403	42	...	...	...	...	...
...	...	...	2	...	6	...	...	...	...	...	...	3	...	...	...	...	...	...	30	...	8	...	...	...	...	...
...	...	...	38	...	110	...	...	...	50	...	...	6	...	...	...	...	...	...	...	...	...	...	...	...	...	...
58	92	...	48	12	2005	10492	200	498	5435	42	...	586	...	...	...	...	...	281	36	755	61	...	...	...	...	...
14	173	13	42	...	3921	34058	5636	307	1562	63	...	231	00	10	26	339	12	6	3000	...	2	3	5
...	50	...	10	...	308	2109	950	155	200	...	...	7	...	...	...	...	...	...	...	...	69	...	...	...	...	...
...	...	...	1	...	165	1406	100	...	...	...	...	7	...	...	...	...	...	...	...	...	35	...	...	...	...	...
...	...	...	...	...	102	538	90	...	15	...	...	...	...	...	...	...	...	...	...	...	24	...	...	...	...	...
14	223	13	53	...	4496	38111	6776	462	1777	63	...	245	90	10	26	467	12	6	3000	...	2	3	5
...	...	...	...	...	8	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	4	...	...	...	...	...
...	...	...	4	...	10	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	2	...	...	...	...	...
...	
...	...	...	4	...	18	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	6	...	...	...	...	...
18	24	27	72	...	903	5447	3742	75	385	...	...	371	...	...	...	...	...	16	35	173	33	12	1000	15	15	7
83	166	9	155	13	2641	17393	419	811	4040	190	...	785	...	...	...	...	...	113	15	610	88	8	1600	90	1	2
...	4	...	9	...	216	2348	600	...	255	...	...	90	...	...	...	...	...	...	...	...	57	...	...	...	...	...
15	7	...	30	...	899	7316	176	76	744	20	...	265	...	...	...	...	...	108	1	156	13	...	...	...	...	...
116	201	37	267	13	4720	32504	4937	962	5424	210	...	151	...	...	...	...	...	243	51	996	134	20	2600	105	16	9
6	2	9	83	5	361	...	4293	100	40	20	...	17	800	...	...	...	...	...	...	...	3	4	...	...	...	...
...	...	...	124	...	716	...	10270	100	70	...	...	21	...	...	...	...	...	...	...	...	12	...	...	...	...	...
...	...	...	2	...	19	...	290	...	...	...	...	...	...	...	...	...	...	...	...	...	2	...	...	...	...	...
...	...	...	23	...	186	265	2080	20	180	...	...	7	...	...	...	...	...	...	...	...	...	...	...	...	...	...
6	11	1	233	5	1283	265	16933	220	290	20	...	45	800	...	14000	500	800	...	...	17	4	...	...	...	1	2
81	688	...	49	12	2380	1116	57105	275	3038	...	...	548	...	...	...	...	...	32	...	61	25	...	...	...	...	...
35	895	1	48	16	1788	640	24860	30	815	...	...	389	3400	...	...	...	...	...	...	42	44	...	...	...	...	...
6	20	...	5	...	190	1700	2250	...	400	...	...	40	...	...	...	...	...	...	...	...	5	...	...	...	...	...
11	147	1	8	4	1081	950	29860																				

AGRICULTURE—continued.

NAME OF POLICE DISTRICT.	Number of Holders of Land exceeding one acre.	Extent of Land in Cultivation.	Extent of Land enclosed, but not in Cultivation.	Extent of Land Unenclosed.	Total extent of Holdings.	Crops.																		
						Wheat.		Maize.		Barley.		Oats.		Rye.		Millet.		Potatoes.	Tobacco.	Sorghum and Imphee.		Sugar-cane.		
						For Grain.	For Hay.	For Grain.	For Green Food for Cattle.	For Grain.	For Hay.	For Green Food for Cattle.	For Grain.	For Hay.	For Green Food for Cattle.	For Grain.	For Green Food for Cattle.			For Grain.	For Green Food for Cattle.	For Grain.	For Green Food for Cattle.	Productive.	Unproductive.
acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres				
Carcoar	A	225	3993	12829	16621	33449	2374	79	423	6	34	5	2	309	259	..	1	101	..	203	..	..	..
	B	204	3622	30186	57545	91354	1992	103	291	..	24	..	3	252	532	..	1	101	..	167	..	..	..
	C	10	155	847	151	653	65	10	26	..	..	..	..	15	23	..	..	..	..	9	..	..	..
	D	45	723	5583	10148	16460	320	58	25	..	1	30	2	57	149	..	..	..	..	34	..	..	..
Total	484	8500	48951	84465	141917	4752	250	765	6	60	35	7	633	968	..	2	101	..	418	..	..	..	..
Cassilis	A	158	1254	10500	88401	50155	660	..	252	10	1	2	2	61	186	..	..	..	..	22	..	..	..	..
	B	29	242	13778	97310	235339	36	40	11	..	..	..	..	62	..	..	..	..	..	167	..	..	..	..
	C	5	27	22210	7766	30003	6	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	D	6	34	146	4860	5040	14	..	6	..	..	..	..	8	..	..	..	..	..	4	..	..	..	..
Total	196	1587	17064	148337	320538	716	40	269	10	1	2	2	61	257	..	..	..	..	27	..	..	..	..	..
Cooma	A	393	3639	48279	143722	195640	1899	178	6	..	38	16	3	380	638	..	5	1	..	195	..	..	..	..
	B	82	939	20243	85918	107101	138	17	..	2	4	..	..	11	129	..	10	..	..	22	..	..	..	..
	C	21	138	1095	19178	20412	36	20	..	..	..	..	..	30	43	..	..	..	..	8	..	..	..	..
	D	43	50	3029	19023	22102	..	8	..	..	..	..	..	..	40	..	..	..	..	1	..	..	..	..
Total	539	4767	72646	267842	345255	2073	223	6	..	40	20	3	421	851	..	5	11	..	1	226	..	..	..	..
Coonamble	A	157	756	15905	19753	36415	305	34	205	39	5	4	1	2	61	4	..	4	..	31	..	..	..	..
	B	46	313	62937	8539	71739	88	12	29	36	15	..	..	6	8	..	..	..	..	3	..	..	..	..
	C	4	14	46	519	580	13	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..
	D	2	30	40	44	114	17	..	..	..	2	..	..	..	..	..	..	..	..	..	..	..	..	..
Total	209	1113	78923	28856	108898	423	46	235	75	22	4	1	8	151	4	..	4	..	35	..	..	..	..
Cowra	A	99	1202	11530	21820	34553	538	5	411	1	7	..	..	97	113	..	..	..	..	22	..	..	..	..
	B	51	451	15932	50423	66812	160	23	169	..	2	..	2	12	65	..	..	..	..	4	..	..	..	..
	C	3	53	301	122	477	33	..	17	..	..	..	..	3	3	..	..	..	..	..	..	..	..	..
	D	4	60	207	347	615	29	..	15	..	..	..	..	3	12	..	..	..	..	..	1	..	..	..
Total	157	1767	27971	72719	102458	760	28	612	1	9	..	2	112	193	..	..	..	..	28	..	..	..	..
Deniliquin	A	789	1315	123749	121783	246848	218	732	..	2	7	2	..	25	200	10	..	2	..	13	..	..	..	..
	B	100	719	228461	412037	641218	84	280	..	11	26	..	..	4	338	..	..	..	..	1	..	..	..	..
	C	10	26	1892	44	1922	..	25	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	D	20	226	2717	1035	3978	30	59	..	17	..	..	..	..	103	..	..	..	..	1	..	..	..	..
Total	919	2286	356821	534860	893967	257	1097	..	2	35	28	..	31	642	10	..	2	..	21	..	..	..	..
Dowling	A	66	2666	1920	2567	7153	5	..	60	9	..	..	..	12	10	9	..	..	..	34	..	..	..	..
	B	84	3156	2658	7748	13562	..	..	347	3	28	..	..	126	132	69	..	..	..	47	..	..	..	..
	C	5	300	190	75	565	6	..	..	..	..	..	..	1	1	..	..	..	..	3	..	..	..	..
	D	62	4798	939	339	6076	..	..	230	40	8	..	..	59	98	94	..	..	..	27	..	..	..	..
Total	217	15920	5707	10729	32357	11	..	638	52	38	..	7	199	241	172	..	..	..	112	..	..	..	..
Dubbo	A	352	2667	28259	37911	68837	1322	801	386	186	14	6	4	11	235	..	1	..	..	57	..	..	..	..
	B	129	1108	25902	10656	37667	189	52	163	31	4	0	6	11	179	..	..	..	..	2	..	..	..	..
	C	25	332	4030	2070	6432	141	..	36	10	..	..	..	4	59	12	..	..	..	1	..	..	..	..
	D	46	435	3806	2187	8428	112	42	58	18	..	..	..	13	119	..	..	..	..	..	..	..	..	..
Total	552	4543	61997	52824	119365	1764	174	607	271	28	12	11	44	593	12	1	..	..	60	..	..	..	..
Dungog	A	87	744	7210	5066	13020	182	1	345	..	8	1	12	12	1	13	..	..	..	33	65	..	..	..
	B	75	1320	35945	12910	50175	87	4	885	..	85	2	21	46	7	9	..	..	..	23	28	..	..	..
	C	6	70	463	40	573	17	..	35	..	1	..	..	2	2	..	..	..	..	4	4	..	..	..
	D	121	2290	5276	3991	11557	245	10	1411	4	248	9	36	123	26	4	5	2	..	..	54	41	..	..
Total	289	4424	48894	22007	75325	581	15	2677	4	343	12	70	183	36	27	5	2	..	..	119	140	..	..
Eden	A	110	163	10597	11750	22511	10	2	53	..	1	..	..	13	15	..	2	..	..	35	..	..	..	..
	B	77	463	4069	5838	10370	..	..	273	..	5	4	..	8	61	3	..	..	..	6	..	..	..	..
	C	7	73	271	857	1201	6	..	57	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	D	18	213	1477	3128	4819	..	..	176	..	..	..	..	8	10	..	..	..	..	..	13	..	..	..
Total	212	913	16415	21573	38902	16	2	560	..	7	4	..	30	86	3	5	..	..	..	100	..	..	..
Forbes	A	254	1581	37184	62206	100972	455	236	237	7	4	..	2	5	554	..	..	..	..	16	..	..	..	..
	B	83	359	27936	13263	41563	71	67	4	..	..	..	..	156	..	..	..	..	..	3	..	..	..	..
	C	1	..	20	40	60	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	D	3	10	410	40	460	..	..	..	..	..	..	..	..	4	..	..	..	..	..	..	..	..	..
Total	341	1951	65550	75554	143055	526	303	242	11	4	..	2	5	715	..	..	..	..	19	..	..	..	..
Glen Innes	A	186	2240	20740	15702	33683	396	93	490	2	12	6	..	264	546	13	3	4	..	250	..	9	..	1
	B	50	835	19612	18872	34320	117	42	61	4	3	14	2	79	331	..	4	1	..	35	..	2	..	..
	C	11	156	347	1464	1967	57	..	21	..	..	..	..	14	53	..	..	..	..	10	..	..	..	..
	D	22	346	8669	3917	12933	13	..	48	1	9	4	..	29	183	..	..	..	..	17	..	..	..

AGRICULTURE—continued.

Crops.										Produce.														Vineyards.				
Arrowroot.	Sown Grasses.		Vineyards.	Gardens and Orchards.	All other in Crop.	Total Number of Acres under Crop.	Wheat.	Maize.	Barley.	Oats.	Rye.	Millet.	Potatoes.	Tobacco.	Sorghum and Imphee (Grain.)	Sugar cane grown.	Sugar produced.	Arrowroot.	Hay.				Wine-making.		Table Use.			
	For Hay.	For Green Food for Cattle.																	Wheat.	Barley.	Oats.	Sown Grasses.	No. of Acres.	Wine Produced.	Brandy Manufactured.	No. of Acres.	Quantity obtained.	Vines Unproductive.
acs.	acres.	acres	acres	acres	acres	acres	bushels	bushels	bshls.	bushels	bshls	Tons	lbs.	ton	cwt.	cwt.	lbs.	tons	tons	tons	tons	gallons	galls.	tons	acs.			
..	13	255	..	27	2	3998	35832	6981	613	6528	20	501	..	..	..	..	..	..	84	10	276	13	..	..	..
..	14	79	5	56	2	3622	28878	5315	400	5684	10	558	..	..	..	..	..	..	11	10	603	25	..	..	..
..	..	40	..	6	..	155	945	330	..	330	..	24	..	..	..	..	..	..	5	34	30	..	..	..	..
..	..	..	..	6	..	723	3090	360	40	1360	..	122	..	..	..	..	..	..	52	34	198	..	..	..	..
..	27	374	5	90	4	8500	69645	12086	1053	13952	30	1295	..	..	..	..	..	..	255	44	1107	38	..	..	..
..	9	10	1	31	4	1254	11621	4010	10	990	..	47	..	..	..	..	..	..	..	2	237	15	..	..	..
..	82	..	2	7	..	242	400	220	..	..	..	1	..	..	..	..	..	..	..	..	37	116	2	600	..
..	..	20	..	2	..	27	40	..	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..
..	..	..	..	2	..	34	180	110	..	..	..	8	..	..	..	..	..	..	..	..	..	..	..	..	..
..	91	30	3	41	4	1557	12241	4340	10	990	..	57	..	..	..	..	..	..	..	2	290	131	2	600	..
..	79	155	2	37	5	3639	28603	230	572	7956	85	439	..	..	..	..	..	..	316	16	552	71	..	..	..
..	83	481	19	19	2	939	2063	..	50	875	..	37	..	..	..	..	..	..	17	1	77	73	..	..	..
..	..	20	..	1	..	138	600	..	..	160	..	11	..	..	..	..	..	..	22	..	19	2	..	..	..
..	..	..	..	..	..	50	..	..	..	..	..	2	..	..	..	..	..	..	..	..	..	..	..	..	..
..	162	656	2	57	7	4767	31266	230	622	3991	85	539	..	..	..	..	..	..	355	17	651	144	..	..	..
..	7	10	1	32	8	756	5308	2798	85	45	..	29	..	..	..	..	..	..	..	4	70	10	..	..	..
..	14	4	2	14	..	313	1772	402	510	85	..	1	..	..	..	..	..	..	..	..	101	8	..	..	..
..	..	6	..	3	..	14	182	..	..	..	..	2	..	..	..	..	..	..	..	..	..	..	..	..	..
..	..	..	..	..	..	30	380	..	40	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
..	21	20	2	49	8	1113	8142	3200	635	130	..	33	..	..	..	..	..	..	59	4	175	18	..	..	..
..	1	..	1	4	..	1202	10428	7290	150	2464	..	38	..	..	..	..	..	..	..	..	132	2	..	..	..
..	2	..	..	9	2	451	2620	4380	60	380	..	11	..	..	..	..	..	..	42	..	92	6	..	..	..
..	..	..	..	..	..	53	400	250	..	..	..	..	..	..	..	..	..	..	..	..	2	..	..	..	..
..	..	..	..	..	..	60	464	280	..	60	..	1	..	..	..	..	..	..	..	..	10	..	..	..	..
..	3	..	1	13	2	1767	13912	12200	200	2904	..	50	..	..	..	..	..	..	49	..	236	8	..	..	..
..	8	23	4	59	..	1315	4364	30	196	572	..	26	..	..	..	..	..	..	1221	2	260	7	..	..	..
..	27	..	..	22	..	719	180	..	210	160	..	2	..	..	..	..	..	..	400	29	449	20	..	..	..
..	..	..	..	1	..	26	..	..	..	..	..	..	..	..	..	..	..	..	34	..	..	..	..	..	..
..	10	..	2	2	..	226	500	..	460	30	..	6	..	..	..	..	..	..	130	..	140	12	..	..	..
..	45	23	4	85	..	2286	5044	30	866	812	..	34	..	..	..	..	..	..	1786	31	856	69	..	..	..
..	15	2497	3	11	..	2666	104	1330	..	242	..	78	..	..	..	..	..	..	..	..	9	12	..	..	..
..	149	7207	3	38	3	8156	..	8898	848	2404	..	155	..	..	..	..	..	..	..	..	394	164	..	..	..
..	3	287	..	..	..	300	..	10	16	20	..	12	..	..	..	..	..	..	..	..	2	2	..	..	..
..	73	4150	..	9	..	4798	60	5298	235	979	..	89	..	..	..	..	..	..	..	..	124	62	..	..	..
..	24	1414	6	59	3	15920	164	15536	1099	3646	..	33	..	..	..	..	..	..	..	..	529	240	..	..	..
..	55	149	7	78	8	2067	26244	3428	218	246	5	40	..	..	..	..	..	..	..	..	303	51	61	17300	..
..	182	187	14	79	1	1108	2295	1340	20	300	..	14	..	..	..	..	..	..	53	14	275	192	11	5500	..
..	9	34	2	23	..	332	3463	..	175	80	..	1	..	..	..	..	..	..	..	..	79	14	..	..	..
..	40	..	4	24	..	435	2623	272	..	333	..	..	..	..	..	..	..	..	..	..	152	78	3	80	..
..	286	370	9	205	9	4543	34630	5040	413	959	5	42	..	..	..	..	..	..	187	16	809	335	76	22880	..
..	2	22	22	44	19	744	1899	8181	130	189	9	39	64563	..	..	..	..	..	..	..	2	12	2	4	570
..	..	..	..	2	2	1320	1314	18398	2418	1019	..	12	48	20316	..	..	..	..	500	..	4	15	2	10	1750
1	3	8	..	18	38	2290	3962	24825	5713	3571	20	20	77	37449	..	..	..	..	320	3	12	29	6	..	..	
1	5	37	31	96	86	4424	7477	52554	8291	4804	29	32	169	127704	..	..	..	..	870	5	28	51	8	14	2320
..	1	11	..	19	..	163	480	2170	20	460	40	141	..	..	..	..	..	..	..	..	18	1	..	..	..
..	3	2	1	40	1	463	..	12385	200	250	90	..	..	..	..	..	..	..	..	..	10	104	5	..	..	
..	2	1	73	180	3300	29	16	2		
..	2	..	..	2	1	213	..	7490	15	220	..	54	..	..	..	..	..	..	..	..	..	..	..	..	..
..	6	26	1	63	2	913	660	25345	235	930	130	2	10	138	8		
..	15	10	9	20	9	1581	7991	3552	56	100	..	16	..	..	..	..	..	..	..	..	367	549	19	..	..	
..	5	8	4	39	..	359	1544	40	..	..	..	..	..	..	..	..	..	..	..	..	94	254	5	..	..	
..	..	..	..	1	..	10	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
..	20	18	14	61	9	1951	9535	3592	56	100	..	16	..	..	..	..	..	..	..	..	462	809	24	..	..	
..	33	57	9	43	6	2240	5340	8778	460	4291	81	599	..	..	..	..	..	..	..	..	110	10	635	10	..
..	80	33	1	19	3	835	1732	1165	95	600	25	77	..	..	..	..	..	..	..	..	59	15	286	135	..
..	1	1	156	342	180	..	115	..	24	51		
..	..	..	..	6	1	346	160	565	130	350	..	30	..	..	..	..	..	..	..	..	4	123	..	..	..
..	113	124	10	69	10	3578	7574	10688	635	5356	106	169	29	1096	145		
..	8	131	3	215	32	6474	43109	2720	786	10714	90	2241	..	..	..	..	..	..	..	..	64	14	938	9	..
..	113	1158	5	392	71	6323	27473	5110	2074	6143	48	1157	106	55	1286	98	2	370		
..	..	16	..	94	24	347	2110	70	55	485	..	95		
..	6	11	2	42	2	2863	16328	1525	853	5285	10	950	33	15	651	9		
..	127	1317	10	653	105	16008	89520	9425	3768	22627	148	203	84	2956	116	2	370		
..	4	21	4	75	4	7598	..	192439	1260	700	..	81	..	..												

AGRICULTURE—continued.

NAME OF POLICE DISTRICT.	Number of Holders of Land exceeding one Acre.	Extent of Land in Cultivation.	Extent of Land enclosed but not in Cultivation.	Extent of Land un-enclosed.	Total Extent of Holdings.	Crops.																		
						Wheat.		Maize.		Barley.		Oats.		Rye.		Millet.		Potatoes.	Tobacco.	Sorghum and Imphee.		Sugar-cane.		
						For Grain.	For Hay.	For Grain.	For Green Food for Cattle.	For Grain.	For Hay.	For Green Food for Cattle.	For Grain.	For Hay.	For Green Food for Cattle.	For Grain.	For Green Food for Cattle.			For Grain.	For Green Food for Cattle.	For Grain.	For Green Food for Cattle.	Productive.	Unproductive.
acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres					
Grenfell	A	119	1008½	11841	28698½	41548½	337½	26½	221	17	6	15	2	40	295½	..	..	..	..	14½	..	..	..	..
	B	22	155½	5035	2165½	7356	54½	..	17	8	..	5	2½	4	42	..	..	..	..	..	..	..	..	..
	C	4	42	230	94	366	10½	..	13	..	..	..	..	..	18	..	..	..	..	..	..	..	..	..
	D	4	55	1440	2540	4035	..	..	..	..	..	..	..	..	24	..	..	..	..	..	..	..	..	..
Total	149	1261	18546	33498½	53305½	402½	26½	251	25	6	20	4½	44	379½	..	..	..	..	..	39	..	..	..	..
Gundagai	A	487	6038	124309	69838½	200185½	3227½	9	1278½	6	74	5	..	545	579	..	7½	..	..	106	..	..	..	..
	B	86	833½	37891	24395½	62919½	300½	39	87	..	..	..	..	8	200½	..	..	..	..	25½	..	..	..	..
	C	23	101	10648	7313	18062	64	..	5	..	..	..	..	..	19	..	..	..	..	3	..	..	..	..
	D	12	73	294	3315	3682	36	2	11	..	..	..	..	..	18	..	..	..	..	3	..	..	..	..
Total	608	7045½	172942	104862	284349½	3628	50	1381½	6	74	5	..	563	816½	..	10½	..	..	..	137½	..	..	..	..
Hartley	A	177	1320½	10247½	10952	22520	321½	37	60½	..	23½	2	8½	199½	292	2	21	..	..	287	..	..	..	..
	B	146	1222½	24221	25117	50560½	248	22½	35	..	18	11½	10	157	336	..	11½	..	..	225½	..	..	..	..
	C	21	77½	1187½	1463	2728	30	..	3	..	1½	..	..	19	..	..	..	..	..	17½	..	..	..	..
	D	64	754	9441	9361	19550	234	14	25	..	5	5	..	58½	284½	..	8	..	..	107	..	..	..	..
Total	408	3374½	45097	46893	95364½	833½	73½	123½	..	48	18½	13½	434	912½	2½	41½	..	..	..	637	..	..	..	..
Inverell	A	169	3638½	10285½	31399	54323	1578	71	962½	11	15	84	19	10½	321	21	..	..	..	107½	..	..	..	..
	B	45	695	37618½	44170	82483½	164	20	167½	..	..	..	3½	13	158	1	..	..	..	23½	..	..	..	..
	C	60	408½	16718½	40260½	57387½	144	..	93	..	3	2	3½	..	50½	..	..	..	..	28	..	..	..	..
	D	Nil
Total	274	4742½	73622½	115829½	194194½	1386	91	1223	28	18	86	26	23½	529½	22	..	1	..	..	158½	..	..	3	..
Kiama	A	7	14	306	426	746	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	B	191	1605½	19611½	108	21324½	45	4	162½	46	19	..	51	61	74	318	34	13	..	53	..	4	112	..
	C	27	141	2351	610	3102	19½	6	29	44	1	..	82	63	58	20	13	8	..	21	..	3	3	..
	D	349	1461½	30345	336	32142½	19½	6	197½	73½	14½	..	..	..	..	..	..	..	..	75½	..	38	257½	..
Total	574	3221½	52613½	1480	57316½	65	10	379	124	34½	..	135	124½	152	598½	104	44½	14	20	149½	..	7½	372½	..
Liverpool	A	2	21	62½	39	122½	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	B	135	828	28855½	3267½	32951½	3	1	19	5	3	..	16½	..	560½	10	3	4	..	16½	..	..	3	..
	C	Nil	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	D	160	1600½	42219½	7748	51568	21	16	30½	2	8½	..	11	8	1244	98	10½	6	..	7½	..	..	6½	..
Total	287	2449½	71137½	11054½	84641½	24½	17	49½	7	12½	..	27½	8	1810½	108	13½	10	..	..	24½	..	..	9½	..
Macleay River	A	442	4021	33405	20452½	57878½	26	..	3778	..	14	..	11	5	1	2	1	..	..	51½	..	..	46	32
	B	180	2544	11580½	2386½	16510½	..	..	2408½	..	12	..	2	..	..	..	..	..	..	19½	..	..	1	47½
	C	68	931½	1480	1740½	4152½	5	..	900	..	..	..	2	..	3	..	..	..	104	..	..	..	2	
	D	247	5271½	5312	1725½	12399	..	..	5152½	..	20	..	5	..	6½	3	..	..	..	50	..	..	4	4
Total	927	12768½	51777½	26305	90850½	31	..	12238½	..	46	..	20	5	10½	5	1	..	..	131½	..	..	1½	99½	69½
Maitland	A	78	357½	7112½	1590	9060½	39½	..	3778	..	10	23	..	1	47	10	..	..	..	4½	..	..	..	..
	B	367	3637½	61716½	2719	68073½	71	35½	974½	33½	87	12	119	56	236½	17½	5	4½	..	159½	2	1	3	..
	C	7	10	1741	40	1791	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	D	577	6083½	55186½	9314	70584½	124	75½	1814½	7½	127½	57	218½	35	426½	43½	6	2	34	2½	432½	2	..	9
Total	1029	10089	125757½	13663	149509½	234½	111	2893	60½	237½	69	333½	138	673	61	11	6½	34½	2½	597	4	1	12	..
Manning River	A	195	1272	8811½	6100	16183½	21	..	997	..	7½	..	2	80	7	1	..	..	..	31½	26½	..	..	47
	B	287	5814½	2715½	13908½	46838½	189	..	4818	..	252	..	34½	190½	10	9	..	2	..	61½	15½	1½	8½	73
	C	31	356	1498	405	2259	13	..	281	..	13½	..	1	34	..	..	..	..	..	5	..	..	1	..
	D	241	5392½	6133½	2297½	13823½	93	..	4810½	..	229½	..	9½	121	7½	3	..	9	..	39½	5½	..	..	9
Total	754	12385½	43558½	22710½	79104½	316	..	10907½	..	502½	..	47	425½	24½	13	..	11	..	..	138½	48½	1½	9½	129
Metropolitan	A	10	15	9	361	385	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	B	1813	3890½	22093½	24689	50682	..	17½	11	50	..	6½	29½	..	303	37½	..	..	..	161½	1	..	43½	..
	C	Nil	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	D	466	801½	8807½	7772½	17270½	..	..	1½	29½	5	..	16½	1	40½	10½	..	..	..	79½	..	..	26	..
Total	2289	4805½	30710	32822½	68337½	..	17½	12½	79½	5	6½	45½	1	343½	47½	..	..	..	1	240½	1	..	69½	..
Mitchell	A	86	5	1510	4811	6326	..	5	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	B	8	..	1000	902	1902	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	C	Nil	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	D	Nil	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Total	44	5	2510	5713	8228	..	5	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Moama	A	122	961	44342	13462	58755	526½	249½	..	..	15	..	..	131	29	..	..	..	..	..	..	..	..	..
	B	62	346½	108763½	1056½	110166	27	215½	..	..	1	..	..	..	69	..	..	..	..	..	..	..	..	..
	C	4	90	525	..	61																		

AGRICULTURE—continued.

NAME OF POLICE DISTRICT.	Number of Holders of Land exceeding one Acre.	Extent of Land in Cultivation.	Extent of Land enclosed but not in Cultivation.	Extent of Land unenclosed.	Total Extent of Holdings.	Crops.																					
						Wheat.		Maize.		Barley.		Oats.			Rye.		Millet.		Potatoes.	Tobacco.	Sorghum and Imphee.		Sugar-cane.				
						For Grain.	For Hay.	For Grain.	For Green Food for Cattle.	For Grain.	For Hay.	For Green Food for Cattle.	For Grain.	For Hay.	For Green Food for Cattle.	For Grain.	For Green Food for Cattle.	For Grain.			For Green Food for Cattle.	For Grain.	For Green Food for Cattle.	For Grain.	For Green Food for Cattle.	Productive.	Unproductive.
acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres						
Port Macquarie	A	126	962½	5983½	4101½	11048	6	..	757	4	3½	..	3	17	2	4	..	..	..	..	19½	11	..	1	15	18½
	B	137	1795½	12340½	27443	42079	..	..	1340½	9	5	..	16	5	16	25	..	..	..	..	31½	2	..	..	..	88
	C	10	160	493	38	691	..	..	125	..	2	..	1	2	1	2	..	..	..	..	9½	2	..	..	..	20
	D	40	585	5328	20132	26045	..	..	509	..	9	..	1	5	3	7	..	..	..	..	9½	2	..	..	..	17½
	Total	313	3502½	24645½	51714½	79863	6	..	2731½	13	19½	..	21	29	22	38	..	..	..	..	62½	6½	..	1	15	144
Port Stephens	A	99	770½	3843½	2829	7443	23	..	594	26	15½	..	1	33½	1	..	..	..	..	..	29½	16½	..	..	..	..
	B	78	791	10745½	1640	13176½	99	..	555	..	14	..	2	3	21	..	..	..	..	..	17	2½	..	..	..	..
	C	2	..	100	20	120
	D	88	1134	10947½	456½	12538	217½	..	756	..	62½	..	4	11½	5½	24½	10
	Total	267	2695½	25636½	4945½	33277½	339½	..	1905	26	91½	..	7	48	27½	71½	29½
Queanbeyan	A	386	4064	29802½	81570½	65446	2790	22	174½	41	67½	22½	..	201	341	38	..	..	..	..	221½	..	..	..	5	..
	B	115	2707½	120358	127678½	250744½	1166½	21	20	..	36½	7½	7½	117½	432	10	16½	..	..	..	74½	..	..	..	..	..
	C	10	170	307	145	622	142	2	..	..	..	..	..	5	17	..	..	..	..	..	..	..	..	..	..	..
	D	92	1731	12215	18360	32306	1032½	57	113	..	4½	11	2½	3	76½	348½
	Total	603	8672½	162682½	177763½	349118½	5131	102	307½	9	115	32½	10½	400	1138½	48	16½	348½	5
Raymond Terrace	A	27	76½	1697½	559	2333	3	..	18	2	..	..	..	..	..	..	..	..	..	..	4	6½	4	..	..	..
	B	110	1047½	27636½	47153	33399½	..	..	434	..	14	..	1	18	4	130	1	..	23½	15½	26	..	..	6	1	8
	C	3	2	178	..	180
	D	179	2989½	14755½	3451	21196	8	..	1708	3	77	53	56½	12	392	10	7	2	57	34½	96½	1	..	7	1
	Total	319	4115½	44267	8725½	57108½	11	..	2160	5	91	54	74½	16	522	11	7	2	30½	55	129½	5½	..	13	1	9	
Richmond River	A	553	44283	39145½	35806½	70381	9	..	2554	37	3	..	1	..	33	5	..	..	..	..	34½	..	..	..	148½	558½
	B	84	565½	35689½	19442	55697½	..	..	238	2	..	..	20	..	59½	1	..	..	..	..	3	..	..	3	35	39
	C	19	148	1478	388	2014	..	..	110	..	..	..	..	..	7	2	..	..	..	..	..	..	..	..	..	3
	D	16	164	615½	285	1064½	..	..	142	..	..	..	..	..	..	..	..	..	..	..	2	..	..	..	..	4
	Total	672	5306½	76928½	55921½	138156½	9	..	3053	39	3	..	21	1	99½	8	8	39½	3	187½	600½
Rylstone	A	282	1418	15158½	15564½	32141½	771	8	229	..	26½	1	..	50	51	..	2½	..	..	..	111½	9	..	..	..	..
	B	111	832½	91871	23535	116238½	78	2	92	..	12	8	4	13½	152½	15	13	..	..	..	44½	..	..	..	..	..
	C	19	167	606	1180	1953	77	..	31	..	1½	1	..	1	15	..	..	..	..	..	10½	..	..	..	..	..
	D	33	455	3193	2845	6493	70	1	87	..	15	..	..	10	151	..	..	..	..	..	40½	..	..	..	..	..
	Total	445	2872½	110828½	43124½	156826	996	11	439	..	55	10	4	74½	369½	15	15½	207	9
Scone	A	235	1479	25776½	37191	64446½	1236½	6	108	..	4	..	..	..	20	..	..	..	..	..	18	..	..	..	..	..
	B	69	597	53361½	66345	120303½	368	13	32	..	5	2	6	..	2	..	..	..	..	..	4	..	..	..	..	..
	C	9	50	240	7140	7430	45	..	5	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	D	14	239	2118	3251	5608	10	..	14	..	3	..	..	..	17	..	1	..	..	..	1	..	..	..	..	..
	Total	327	2365	81496	113927	197788	1659½	19	159	..	12	2	6	..	39	..	1	23
Shoalhaven	A	258	1507	18087½	14508½	34192½	27	1	298½	17	10	..	1	68	16	51	20	39	..	..	72	..	..	..	2	..
	B	135	1709½	24108½	40387½	66205½	9½	..	1131	1	..	..	16	115½	7½	48	13	60	..	..	64½	..	..	..	..	..
	C	24	104	1435	852	2801	4	..	56	6	1	..	..	19	8	..	3	..	..	7	..	..	..	..	..
	D	943	6117	16023½	8686	30826½	6	..	5542½	22	4	..	19	62½	43	60½	6	..	..	..	267½	..	..	..	4½	..
	Total	760	9437½	59654½	64523½	133016	46½	1	7028	46	15	..	36	265	74½	159½	39	102	..	..	411	..	..	..	6½	..
Tamworth	A	567	5868½	89932	171845½	267041	4080½	345	745½	49	9½	6½	25½	2	145	37½	3½	..	..	..	60½	..	..	..	2	..
	B	124	1069½	323450½	127969½	452483	365	117	156	1	11½	40½	4	14	79	..	..	..	..	..	35½	..	..	..	..	..
	C	24	292	881	1569	2742	210	3	43	7	2	..	1	..	..	..	..	..	..	..	10	..	..	..	..	..
	D	19	83½	394	1649½	2127	50	3	9	..	1	..	..	..	..	2	3	..	..	..	1	..	..	2	..	..
	Total	734	7302	414657½	303033½	724993	4705½	468	954	57	23½	46½	30½	16	226	40½	3½	..	..	..	108	..	..	..	4	..
Tenterfield	A	150	1904½	6380	9812	18096½	860	94	385	7	6½	3	..	20	200½	..	..	..	..	..	260	..	..	..	..	..
	B	38	565½	3658½	5483½	9707½	267½	11	73½	1	11	..	11	2	101½	..	..	..	..	..	45½	..	..	..	..	..
	C	13	86	369	641	1096	26½	1	27	..	..	..	..	..	21	..	..	..	..	..	8	..	..	..	..	..
	D	1	13½	23½	12	49	9	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	Total	202	2569½	10431	15948½	28948½	1163	106	485½	8	17½	7	11	43	328½	2	314
Tumut	A	307	3000	74155½	12768	39923½	1067	..	513½	3	36	3	4	147½	208	..	2	..	..	..	157½	..	..	..	24	..
	B	140	1544	25712½	2166½	29423	389½	4	403½	1	21	..	4	81½	173½	..	..	..	..	..	48½	..	..	..	1	..
	C	9	75	841	207	1123	29	..	32	..	..	..	..	..	..	..	..	..	..	..	9	..	..	..	..	..
	D	54	867½	529																							

AGRICULTURE—continued.

DECENNIAL RETURN showing the Quantity of LAND under Crop, and the PRODUCE of the same, &c., in the Colony.

Year ended 31 March.	Crops.																			Produce.																	
	Wheat.	Maize.	Barley.	Oats.	Cotton.	Rye.	Millet.	Potatoes.	Tobacco.	Rice and Hops.	Arrowroot.	Sorghum and Imphee.	Sugar-cane.		Sown Grasses, Oats, Wheat, and Barley for Hay.	Vines.	Sown Grasses, Oats, Barley, Sorghum, &c., for Green Food for Cattle.	Gardens and Orchards.	All other in Crop.	Total Number of Acres in Crop.	Wheat.	Maize.	Barley.	Oats.	Cotton.	Rye.	Millet.	Potatoes.	Tobacco.	Rice and Hops.	Arrowroot.	Sorghum and Imphee (Grain).	Sugar.	Wheat, Barley, Oats, and Sown Grasses for Hay.	Vines.		
													Productive.	Unproductive.																					Wine.	Brandy.	Fruit for Table use.
acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	bush.	bush.	bush.	bush.	lbs.	bush.	bush.	tons	cwt.	lbs.	lbs.	cwt.	lbs.	tons	galls.	galls.	tons
1867	175033½	119519	6211	14914½	..	1571½	197½	18809½	1326½	..	172½	116½	74742½	2281	21109½	12274½	2944½	451225½	2226027	8878064	91741	304028	..	19968	2133½	43809½	2477½	..	..	..	..	8915	17780	118010	242183	3176	668½
1868	149142½	115522½	5140½	13142½	76	1879	192½	15440	626½	7½	234½	646½	74346	2531½	18828½	12640½	2766	413164	1433807	3132505	62392	156965	13680	15569½	1963½	33482½	6035	7000	..	..	9480	134740	91869½	235283	3856½	700½	
1869	164206½	120807	6397½	12129½	..	2187½	156	16391½	875	..	143	261½	2584½	67761½	3116½	21193½	13529	3145	434756½	1787085	3777405	94715	164687	..	23164½	1931	30768	7925	..	14236	5240	3264824	80543½	412587	1888	693	
1870	189452	128041½	9151½	17301½	..	2378	134	17132½	366½	..	313	296½	3917½	75034½	3906½	17375½	14516	3289	482324½	3200959	4880805	148617	400766	..	37434	1806½	54200½	3192	..	34046	8460	3563704	131985½	460321	1687	955½	
1871	147997	107178½	4650½	10683½	2½	1295½	359½	13927½	225½	..	84½	182½	1475	2607½	65403½	4504½	43991½	17168½	5240½	426976	999595	2340654	47701	119365	11½	11691	4747	34118½	699½	..	22897	2005	1519560	69601½	342674	1847½	1046½
1872	154030½	119956½	3461½	13795	..	1342½	254	14770	567½	..	26½	32½	1994½	2399	51805½	4152½	31903½	14520½	2789½	417801½	2229642	4015973	55284	280887	..	17339	4346	44758	4475½	..	26454	3465	2780288½	77459½	413321	1765½	508
1873	177551½	116745	3727½	13586	..	1260	231	16123½	440	..	38	69½	3470	2001	65332	4090	32510½	15016½	2892½	454634½	2898463	3984958	70708	270967	..	17671	4243½	45112	2751	..	32613	880	10955840	105929½	451450	996½	573½
1874	169330½	116648	3579½	16524½	..	1235½	276½	14574½	199½	..	31½	96½	3565½	3105½	71437½	4547½	36490½	16642½	3448½	461733½	2273620	4128865	66464	322449	..	17661	4372	43424½	1261	100	31430	850	1638224	110006½	578985	1916½	620½
1875	166911½	118436½	3984½	17973½	..	1143	192	13604	539½	..	47	15½	4037	4453½	68087½	4307½	40589½	17571½	3012½	464957½	2148394	3618436	69053	293135	..	17336	3661	38564	6069	..	29760	360	15355648	93440	684258	1859	679½
1876	133809½	117582½	4817	18855½	..	918½	149	13805½	491½	..	40½	23½	3653½	2800	77125½	4458½	50634½	19407½	2766	451138½	1958640	3410517	98576	352966	..	11756	2593	41203	4098	..	46787	1195	11056136	88967½	831749	2747½	768

NUMBER OF OCCUPIERS OF LAND, WITH EXTENT OF HOLDINGS, &c., &c.					
Year ended 31 March.	Number of Occupiers of Land (excluding those for Pastoral purposes).	Total Extent of Holdings.	Extent of Land in Cultivation.	Extent of Land enclosed but not in Cultivation.	Extent of Land Unenclosed.
		acres	acres	acres	acres
1867	24,629	7,448,200½	452,350½	2,374,201½	4,621,148½
1868	25,875	7,737,651½	413,164	3,034,675	4,289,812½
1869	26,581	7,464,924	434,326½	3,301,140½	3,728,957½
1870	27,720	7,857,469½	482,324½	3,693,213½	3,681,931½
1871	31,538	8,628,326	434,012½	3,935,758½	4,258,555
1872	29,174	7,855,067½	417,851½	3,921,505	3,515,711
1873	31,342	9,788,728	454,634½	5,134,389½	4,199,703½
1874	32,258	10,619,532½	461,733½	5,836,065	4,321,734½
1875	35,131	12,144,158½	464,957½	6,098,988	5,580,213
1876	36,984	13,525,497	451,138½	7,771,068½	5,303,289½

* 1872.—This quantity is exclusive of the produce of 748 acres of Sugar-cane grown in the Grafton District, which could not be ascertained.

Sydney: Thomas Richards, Government Printer.—1876.

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1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

DOG ACT.

(PETITION AGAINST—RESIDENTS OF PARRAMATTA.)

Ordered by the Legislative Assembly to be printed, 29 March, 1876.

To the Honorable the Speaker and Members of the Legislative Assembly, in Council assembled.

The Petition of the Residents of the District of Parramatta,—

RESPECTFULLY SHOWETH :—

That your Petitioners are astonished that the "Dog Act of 1875" has been extended to the district of Parramatta.

That Petitioners believed that when the Bill passed into law it was never expected that it would be introduced into this district, inasmuch as this was not a cattle or sheep breeding district.

That your Petitioners believed that the Bill was introduced for the protection of the squatters, and consider the tax is oppressive and detrimental to the residents of this district; and therefore humbly pray that the said Act may be repealed as regards this district.

That your Petitioners therefore humbly pray that your Honorable House will take the above premises into consideration, and grant them such redress as their grievances require.

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

[Here follow 433 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

DOG ACT.

(PETITION AGAINST—RESIDENTS OF CASTLE HILL.)

Ordered by the Legislative Assembly to be printed, 3 May, 1876.

To the Honorable the Speaker and Members of the Legislative Assembly, in Council assembled.

The Petition of the Residents of Castle Hill, Windsor Road, and Baulkham Hills, &c., District of Parramatta,—

RESPECTFULLY SHOWETH:—

That your Petitioners regret that the Dog Act of 1875 has been extended to the District of Parramatta. That Petitioners understood that when the Bill was passed into law it was never anticipated that it would be extended to this district, as this is a locality where few cattle or sheep are bred.

That your Petitioners were of an opinion that the Bill was intended to protect the squatters, and therefore consider the tax a grievance and an oppression to these localities; and therefore humbly trust that the said Bill may be repealed.

That your Petitioners therefore pray that your Honorable House will take the above premises into consideration, and grant them such redress as their case requires.

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

[Here follow 95 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

RESERVE AT RUSHCUTTER'S BAY.
(PETITION OF RESIDENTS IN EASTERN SUBURBS.)

Ordered by the Legislative Assembly to be printed, 17 May, 1876.

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

The humble Petition of the undersigned Residents in the Eastern Suburbs of Sydney,—
MOST RESPECTFULLY SHOWETH:—

That on the southern side of the Lower South Head Road, above Rushcutter's Bay, there is an area of low flat land about fifty acres in extent.

That this land, though subject to floods, has been let for market gardens, but is now advertised to be let for building purposes.

That the land is too low for a healthy site for residences.

That if reserved from building purposes the land in question might be converted into a very ornamental park.

That a public reserve is much needed in this locality, as the surrounding slopes are being rapidly built upon, and will soon be occupied by a dense population.

That circumstances are favourable to the re-acquisition by the Crown of land which, in the judgment of your Petitioners, should never have been alienated.

Your Petitioners therefore pray your Honorable House to take the above premises into favourable consideration.

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

[Here follow 160 signatures.]

1875-6.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

GREVILLE'S OFFICIAL POST OFFICE DIRECTORY
FOR 1876.

(NUMBER OF COPIES PURCHASED BY GOVERNMENT, AND DISTRIBUTION OF SAME.)

Ordered by the Legislative Assembly to be printed, 19 May, 1876.

RETURN showing the number of copies of Greville's Official Post Office Directory for the year 1876, purchased by the Government, and the distribution of the same.

	Copies.		Copies.
Colonial Secretary's Departments ...	209	Departments of Minister of Justice and	
Colonial Treasurer's Departments ...	34	Public Instruction ...	204
Departments of Secretary for Lands ...	100	Departments of Mines ...	12
Departments of Secretary for Works ...	100		
Departments of Postmaster General ...	75	Total	734

Departments under the control of the Colonial Secretary:—

	Copies.		Copies.
Colonial Secretary ...	1	Lunatic Asylum, Newcastle ...	1
Principal Under Secretary ...	1	Lunatic Reception House, Sydney ...	1
Chief Clerk ...	1	Government Asylums for the Infirm and	
Audit Department ...	3	Destitute, Sydney, Liverpool, and Parra-	
Prisons Department ...	7	matta, 1 each ...	3
N.S.S. "Vernon" ...	1	Commandant of the Military Forces ...	3
Biloëla Industrial School ...	1	Sent to Philadelphia Exhibition ...	50
Immigration ...	3		
Gladesville Hospital for the Insane ...	2	Total	80
Lunatic Asylum, Parramatta ...	2		

Police Department, Inspector General's Office,
Sydney, 17 May, 1876.

Distribution of Greville's Official Post Office Directory, New South Wales, in Police Department:—

	Copies.		Copies.
Inspector General ...	1	Inspector, Cooma ...	1
Accountant ...	1	Do. Braidwood ...	1
General Branch (Correspondence) ...	1	Sub-Inspector, Mudgee ...	1
Detectives ...	1	Do. Wagga Wagga ...	1
Superintendent, Sydney ...	1	Do. Newcastle ...	1
Do. Armidale ...	1	Do. Orange ...	1
Do. Goulburn ...	1	Do. Forbes ...	1
Do. Dépôt ...	1	Do. Grafton* ...	1
Do. Bathurst ...	1		
Do. Maitland ...	1	In stock	21
Do. Tamworth ...	1		4
Do. Deniliquin ...	1	Total	25
Do. Albury ...	1		

Registrar General's Department,
Sydney, 17 May, 1876.

Distribution of Greville's Official Post Office Directory, 104 copies received:—

Copies.	Copies.
1 Registrar General	1 Births, Deaths, and Marriage Branch.
1 Lands Title Branch	97 to District Registrars of Births, Deaths,
1 Draughtsmen's Branch	and Marriages, viz., 1 to each.
1 Registration Branch	
1 General Statistics Branch	Total 104
1 Vital Statistics Branch	

Departments under the control of the Colonial Treasurer :—

1 copy to the Honorable the Treasurer	1 copy to the Store Department
1 copy to the Under Secretary, &c.	3 copies to the Government Printing Office
1 copy to the Chief Inspector of P.R.A.	1 copy to the Military Stores
1 copy to the Account Branch	3 copies to the Health Officers
1 copy to the Revenue Branch	1 copy to the Emigration Office
1 copy to the Pay Branch	1 copy to the Quarantine Station
1 copy to the Examining Branch	2 copies to the Shipping Master
1 copy to the Correspondence Branch	1 copy to the Marine Board
1 copy to the Records Branch	1 copy to the Imperial Pensions
1 copy to the Stamp Office	3 copies to the Mining Department
6 copies to the Customs and Branches.	
1 copy to the Distilleries	34 total

Departments under the control of the Secretary for Lands.

List of Greville's Official Post Office Directories :—

	Copies.		Copies.
Minister for Lands	1	H. Burne, Commissioner	1
Under Secretary for Lands	1	T. J. Hawkins, Commissioner	1
Chief Clerk	1	H. J. Bolding, Commissioner	1
Store-room	1	J. G. King, Commissioner	1
Conditional Purchase Room	1	A. C. S. Rose, Commissioner	1
Auction Branch	1	J. Delaney, Commissioner	1
Pre-emptive Lease Branch	1	S. Blythe, Commissioner	1
Miscellaneous Branch	1	Occupation Branch	3
Record Branch	1	Director of the Botanic Gardens	2
Deeds Branch	1	Stock Branch	2
Surveyor General's Office	9	Land Agents	62
Examiner of Gold Fields	1	Ministerial Branch	1
Mr. Keon	1		
W. Johnson, Commissioner	1	Total	100
G. O'Malley Clarke, Commissioner	1		

Departments under the control of the Secretary for Public Works :—

	Copies.
Heads of Departments	28
Station-masters	72
Total	100

Departments under the control of the Postmaster General :—

	Copies.
General Post Office	24
Country Post Offices	49
In-stock	2
Total	75

Departments under the control of the Minister of Justice and Public Instruction.

Greville's Official Post Office Directory :—

	Copies.		Copies.
Department of Justice	6	Secretary, Council of Education	2
Prothonotary, Supreme Court	6	Trustees of Free Public Library	2
Registrar in Insolvency	2	Secretary to the Attorney General	1
Sheriff	2	Clerk of the Peace	1
Sydney District Court	2	Crown Solicitor	1
Judge Josephson, Enmore	1	Master in Equity	1
Judge Macfarlane, North Shore	1		
Judge Meymott, Randwick	1	Sydney Departments	33
Judge Forbes, Albury	1	1 copy to Country Benches	171
City Coroner	1		
Government Astronomer	1	Total	204
Trustees of the Australian Museum	1		

Department of Mines. 12 copies received. Distributed as follows :—

	Copies.		Copies.
Minister	1	Record Clerk	1
Under Secretary	1	Chief Draftsman	1
Chief Clerk	1	Geological Surveyor	1
Registrar	1	Warden Sharpe	1
Accountant	1	Warden De Boos	1
Correspondence	1		
Clerk in charge of Gold Leases	1	Total	12

1875.

NEW SOUTH WALES.

SELECTION OF SCULPTOR OF COOK'S STATUE.

(INSTRUCTIONS TO COLONIAL TREASURER RESPECTING.)

Presented to Parliament by Command.

No. 1.

Re Cook's Statue.

MINUTE FOR THE COLONIAL TREASURER.

FROM the papers herewith it will be seen that, although the particular artist to be employed has not been absolutely determined, still that, all other things being equal, Mr. Woolner has claims for first consideration.

It will no doubt be admitted that Mr. Woolner stands as an artist in very high rank. The statues executed by him of Lord Bacon and Prince Albert for Oxford, of Lord Macauley for Cambridge, of William the Third for the Imperial Parliament, of Lord Lawrence for Calcutta, and of Mr. Godby for New Zealand, have been I understand admitted on all hands to be works of high art, and the fact of Mr. Woolner's suggestions with regard to the application and the amount required for the execution of the Cook statue having been intimated by me to the Assembly when the money was voted, enhances his position as the person to be entrusted with the work.

I know that my predecessor in office considered the Government virtually committed to the employment of Mr. Woolner.

I do not think that the papers quite bear out this view of the matter, though it may be that my letter to Mr. Woolner of the 9th March (herewith) strengthens it.

The Cabinet desire that the Treasurer should, when dealing with the business in England, take all the circumstances here alluded to into due consideration.

JOHN ROBERTSON.
29 October, 1875.

[Enclosures to foregoing.]

The Colonial Secretary to T. Woolner, Esq.

Colonial Secretary's Office,
Sydney, 26 September, 1874.

Sir,

I have the honor to forward to you photographs of the pedestal erected in Hyde Park, Sydney, for a statue in commemoration of Captain Cook as the discoverer of this Colony, together with documents as per schedule affording information on the subject.

2. The sum of £2,000 has been appropriated by Parliament for the erection of the statue. I shall be glad if, after the necessary examination of these papers, you will put this Government in possession of your views as to the most appropriate form in which the proposed work can be executed.

3. As you have informed me that you will be prepared to undertake the work yourself, perhaps the best way will be for you to send a design of the statue for approval, with particulars of size and material, and the probable time required for execution; I can then advise you if the Government decides to entrust the work to your hands, which I do not doubt from your eminence as a sculptor will be the case.

4. The position in Hyde Park is a very exposed one, and the statue must be of bronze.

I have, &c.,

HENRY PARKES.

SCHEDULE.

1. Letter from Sir Alfred Stephen, K.C.M.G., Chairman of the Committee, dated 25th September, 1874.
2. Drawing of pedestal with figure thereon.
3. Photo. of the laying of the foundation stone of the pedestal.
4. Tracing of the pedestal.
5. Photo. of the pedestal looking north-east to the Heads.
6. Photo. of the pedestal looking east.
7. Photo. of the pedestal looking south-east.

Sir Alfred Stephen to The Colonial Secretary.

Friday evening,
25 September, 1874.

My dear Mr. Parkes,

I cannot put my hand on the copy (photograph) of Captain Cook's Statue, *i.e.*, of the man alone—irrespective of pedestal or column, &c., as modelled several years ago by the late Mr. Nicholl—but I enclose herewith a miniature drawing of the monument (pedestal and column) as it now stands on the Park.

The height was determined by the position, which alone was open to us, the object of the Committee being that the statue should be seen—as it would be from the height of 21 feet—by vessels as they entered the Harbour. And for this reason we meant to suggest that the figure, or at least the head, should face N.N.E., thus looking over the water which every vessel crosses in its course inwards.

Had the site been where the majority of us desired that the statue should be placed, the height of the pedestal (I am probably not using the technical term) need not I think have exceeded 6 or 8 feet, and the column, which cost us so much money, might either have been dispensed with, or the height, both of it and the pedestal, been unitedly not more than 14 or 15 feet.

So soon as I shall have found the photograph here mentioned, I will send it to you.

I am, &c.,
ALFRED STEPHEN.

I have called the "pedestal" that portion of the work which rises (plinth included) 11 feet above the ground.

T. Woolner, Esq., to The Colonial Secretary.

29, Welbeck-street, W.,
23 November, 1874.

Sir,

I have the pleasure to acknowledge the receipt of your letter, with photographs of the pedestal for a proposed statue of Captain Cook in Sydney, and scale drawing of the same, and I feel much honored by your application to me.

The great size of the pedestal makes it necessary that the statue should be of an unusual height—about 13 feet, including the bronze plinth on which it should stand. Were it smaller than this, the statue, which is the important part of a monument, would appear insignificant, and would be dwarfed by the ponderous stone below.

I could execute a statue in bronze of this size for £4,000; and I need hardly say that if the Government honored me with the commission I should feel proud of the trust, and of the opportunity of perpetuating the memory of so great a hero as Captain Cook. If these terms are approved by the Government, a telegram to me might be sent certifying the same, and I would at once proceed to make my design.

I think I may promise that within three years from the time the design should have been approved by the Committee the statue would be completed.

I have, &c.,
T. WOOLNER.

T. Woolner, Esq., to The Colonial Secretary.

29, Welbeck-street, W.,
23 November, 1874.

My dear Mr. Parkes,

I am much obliged for your most kind and cordial letter, and feel exceedingly proud that my career has had enough interest to attract the attention of one so distinguished as yourself living at such a remote distance.

My six months in Sydney, partly from the lovely scenery and the divine air, and in part from the great amiability of every one towards me, was one of the most enjoyable periods of my life; but of all the supporters of my claims as an artist to public recognition, James (now Sir James) Martin and you gave me the most effectual aid.

I must say that when I received your first letter the thought of doing so heroic a man as Cook gave me great pleasure, and the price named seemed to bring it within the range of possibility; but your present communication, enclosing full particulars as to size, &c., of pedestal, I confess took me aback, from the immense size that would be necessary for the statue to be to make it harmonize with the pedestal.

According to the measurements I have made, I think the statue, including plinth, could not be less than about 13 feet. This is an enormous statue, and would from its size be very costly to execute. I hope it will cause you no disappointment to know the sum that will be needed to make a statue of that size worthy of the subject and the position.

It ought properly to be £5,000 to give the sculptor full assurance of immunity from all risks; but so greatly am I interested in the subject and the city where the monument stands that I shall be willing to undertake the work for £4,000, and to have it completed within three years from the time that I knew the design had been approved by the authorities in Sydney.

The letter of Sir Alfred Stephen is valuable and interesting, as suggesting vividly the idea that should pervade a statue which is to be seen "by vessels as they enter the harbour." My idea is, in developing this suggestion, to make an animated figure, filled with wonder and delight, in the moment of discovering a new country; smitten by the sun, he would always stand a shining welcome to all comers to the fair Australian land.

Had the other proposal mentioned by Sir Alfred of having a statue that, together with the pedestal, need not have exceeded 14 or 15 feet, been decided on, it could have been done for the money already voted, though it would have been a small price; but it would have been a work of very small importance compared with the present project.

From

From the dignity of his position and the high personal character he bears, I feel you will pardon me for mentioning that when I told Sir Bartle Frere of your first letter and its proposal, he took a keen interest in the idea, and suggested that the base of the pedestal should be enriched by reliefs illustrating four main incidents in the life of Captain Cook. I fully intended sending you his suggestion, for he said no life offered better opportunities for the sculptor's art, and that as he was so mighty a man and the discoverer of New South Wales, it seemed appropriate that he should have the best done for him that was possible. There are four most tempting spaces for bas-reliefs at the right distance from the eye on the existing pedestal, but as the statue in cost exceeds what I had contemplated, I shall not enter into this part of the subject. Should the commission be entrusted to me, and I fulfil all the best anticipations, which I should most earnestly strive to do, I might hope that at some future time the Government would consider the matter, and perhaps treat the Country to a little more enrichment in honor of that great heroic man.

This of course is a private letter, and I shall write a formal one stating my terms. If on considering the subject you find the Government cannot afford the sum named, pray let me know, and I will do my best to select a sculptor for you. But in this case, though you shall have my best judgment in selection, of course I cannot be responsible for the work when finished.

Believe me, &c.,
T. WOOLNER.

The Colonial Secretary to T. Woolner, Esq.

Colonial Secretary's Office,
Sydney, 12 February, 1875.

Sir,

I have the honor to acknowledge the receipt of your letter of the 23rd November last, stating the terms on which you are willing to undertake the execution of a bronze statue of Captain Cook for the monument at Sydney, and to inform you that the matter will be taken into the early consideration of the Government.

I have, &c.,
JOHN ROBERTSON.

The Colonial Secretary to T. Woolner, Esq.

Colonial Secretary's Office,
Sydney, 9 March, 1875.

Sir,

With reference to my letter of the 12th ultimo, I have now the honor to inform you that the terms in which, in your letter of the 23rd of November last, you proposed to undertake the execution of a bronze statue of Captain Cook for the monument in Hyde Park, Sydney, have been under the consideration of the Government, and that it has been determined to place the additional amount, viz., two thousand pounds, on Estimates for the sanction of Parliament.

2. On the appropriation by Parliament of the amount in question a further communication will be addressed to you.

I have, &c.,
JOHN ROBERTSON.

No. 2.

THE COLONIAL SECRETARY to T. WOOLNER, Esq.

Colonial Secretary's Office,
Sydney, 30 September, 1875.

SIR,

In reference to my letter of the 9th March last, and previous correspondence on the subject of the execution of a bronze statue of Captain Cook for the monument on Hyde Park, Sydney, I have now the honor to inform you that the additional amount of £2,000, placed on the Estimates for the sanction of Parliament, has been duly voted and appropriated, and that the Colonial Treasurer of this Colony, who is proceeding by the present mail to London, and who is fully instructed and empowered to act in this matter, will communicate with you on his arrival on behalf of this Government.

I have, &c.,
JOHN ROBERTSON.

1875.

NEW SOUTH WALES.

PUBLIC VEHICLES REGULATION ACT OF 1873.

(BY-LAWS UNDER.)

Presented to Parliament, pursuant to Act 36 Vict. No. 14, sec. 15.

Colonial Secretary's Office,
Sydney, 16th October, 1875.

THE following By-laws made by the Metropolitan Transit Commissioners, in substitution of clauses Nos. 13, 14, 16, 48, 53, and 61, of their Regulations of 8th April, 1874, respecting Public Vehicles, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the provisions of the "Public Vehicles Regulation Act of 1873."

JOHN ROBERTSON.

BY-LAWS UNDER THE PUBLIC VEHICLES REGULATION ACT OF 1873.

WHEREAS it is desirable to repeal some of the By-laws now in force for the regulation of Public Vehicles, and to substitute others in lieu thereof,—the Board of Metropolitan Transit Commissioners, constituted and empowered by the Public Vehicles Regulation Act of 1873, do by virtue of the authority vested in them by the said Act, hereby repeal those clauses of the By-laws, made and passed by the Board of Metropolitan Transit Commissioners on the eighth day of April, in the year of our Lord one thousand eight hundred and seventy-four, and numbered respectively thirteen, fourteen, sixteen, forty-eight, fifty-five, and sixty-four; and the said clauses of the said By-laws are hereby repealed accordingly. And that the following By-laws shall stand in the place and stead of the said By-laws so repealed.

13. Any holder of a license, who since the license shall have been issued to him, shall have been convicted of any felony or misdemeanour, or of having been intoxicated while in charge of a licensed vehicle, or of any two branches of these By-laws within a period of six months, shall be liable to have his license cancelled or suspended by the Commissioners; and no person shall during the suspension or cancellation of his license act as driver of any licensed vehicle.

14. The Commissioners shall have power to suspend or cancel the license of any conductor who shall have been guilty of any breach of these By-laws, notwithstanding the provisions of the next preceding By-law; and no person shall during the suspension of his license act as conductor of any licensed vehicle.

16. The Commissioners may, as often as they shall deem it necessary, cause an inspection to be made of all or any licensed vehicles, and of the harness and horse or horses used in drawing the same, and if any vehicle, horse or horses, or harness shall be found by them in their opinion unfit for public use, notice in the form or to the effect contained in the schedule annexed marked L, shall be given to the owner of such vehicle, and no owner after such notice shall use or let for hire or suffer to be

used or let for hire such vehicle, horse or horses, or harness, as the case may be, before the same shall, in the opinion of the Commissioners, be in condition fit for public use, and the Commissioners may suspend for such time as they may deem proper the license of such vehicle, and in case the owner shall neglect or refuse to attend with his licensed vehicle, horse or horses, and harness, before the Commissioners, when he shall be called upon for that purpose, the Commissioners may suspend the license of such vehicle, and no owner of any such vehicle shall permit or suffer the same to ply for hire during the suspension of such license.

48. Any person having taken his seat in or upon an omnibus, shall pay the fare when demanded after the commencement of his journey, and any person who shall refuse to pay the same, shall be liable on conviction to forfeit and pay the same, with such amount of over damages, costs, and charges for loss of time or otherwise, as the Justices hearing the said charge may think fit.

55. Any person having hired a licensed carriage shall pay the legal fare when demanded, and any person refusing or neglecting to pay the same shall, on conviction before two Justices of the Peace, forfeit and pay the same with such amount of over damages costs and charges for loss of time or otherwise as the said Justices shall think fit.

64. Any person having hired a dray shall pay the legal fare when demanded, and any person neglecting or refusing to do so shall, upon conviction before any two Justices of the Peace, forfeit and pay the same with such amount of over damages costs and expenses for loss of time or otherwise as the said Justices shall think fit.

Passed by the Board of Metropolitan Transit Commissioners, this twenty-fourth day of August, in the year of our Lord one thousand eight hundred and seventy-five.

(L.S.) B. PALMER, Chairman.
MICL. CHAPMAN, Commissioner.
EDMUND FOSBERY, Commissioner.

W. J. MERRIMAN,
Registrar.

1875.

NEW SOUTH WALES.

PUBLIC VEHICLES REGULATION ACT OF 1873.

(BY-LAW.)

Presented to Parliament, pursuant to Act 36 Vict. No. 14, sec. 15.

Colonial Secretary's Office,
Sydney, 26th November, 1875.

THE following By-law made by the Metropolitan Transit Commissioners, appointing a Carriage Stand in Castlereagh-street North, Sydney, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, is published in accordance with the provisions of the "Public Vehicles Regulation Act of 1873."

JOHN ROBERTSON.

Metropolitan Transit Commissioners, Office,
164, Phillip-street,
Sydney, 6th October, 1875.

THE undermentioned place is hereby appointed a stand for Carriages, and no more than the following number of carriages shall be allowed on such stand at one time, viz. :—

Castlereagh-street, west side, at Hunter-street, to rank south for six carriages, first two carriages to stand in Hunter-street, south side, twelve yards west of Castlereagh-street.

Passed by the Board of Metropolitan Transit Commissioners, this sixth day of October, in the year of our Lord one thousand eight hundred and seventy-five.

(L.S.) { B. PALMER, Chairman.
MICHL. CHAPMAN, Commissioner.
EDMUND FOSBERY, Commissioner.

W. J. MERRIMAN, Registrar.

1875.

NEW SOUTH WALES.

PUBLIC VEHICLES REGULATION ACT OF 1873.
(BY-LAWS.)

Presented to Parliament, pursuant to Act 36 Vict. No. 14, sec. 15.

Colonial Secretary's Office,
Sydney, 16 December, 1875.

THE following By-laws made by the Metropolitan Transit Commissioners, appointing Stands for omnibuses and carriages attending the performances at the Theatre Royal, in Castlereagh-street, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the provisions of the Public Vehicles Regulation Act of 1873.

JOHN ROBERTSON.

Metropolitan Transit Commissioners' Office,
164, Phillip-street, Sydney, November, 1875.

THE undermentioned places are hereby appointed as Stands for carriages and omnibuses respectively, for the times stated hereafter, and during the performances in the Theatre Royal, Castlereagh-street:—

Castlereagh-street, east side, thirty yards north of King-street; thence to rank north for twenty-four carriages. To be used from 7.30 p.m. to the close of the performance in the Theatre only.

Castlereagh-street, east side, opposite St. James' School; thence to rank north for all omnibuses plying to the eastward thereof. To be used from 10 p.m. to the close of the performance in the Theatre only.

King-street, south side, from Pitt to Castlereagh streets, for all omnibuses plying to the south and west thereof. To be used from 10 p.m. to the close of the performance in the Theatre only.

Passed by the Board of Metropolitan Transit Commissioners, this 10th day of November, in the year of our Lord one thousand eight hundred and seventy-five.

(L.S.) { B. PALMER, Chairman.
MICH'L. CHAPMAN, Commissioner.
EDMUND FOSBERY, Commissioner.

W. J. MERRIMAN, Registrar.

1875-6.

NEW SOUTH WALES.

PUBLIC VEHICLES REGULATION ACT OF 1873.
(BY-LAW.)

Presented to Parliament, pursuant to Act 36 Vict. No. 14, sec. 15.

Colonial Secretary's Office,
Sydney, 1st March, 1876.

THE following By-law, made by the Metropolitan Transit Commissioners, appointing a Stand for Omnibuses attending the performances at the Victoria Theatre, in Pitt-street, Sydney, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, is published in accordance with the provisions of the "Public Vehicles Regulation Act of 1873."

JOHN ROBERTSON.

Metropolitan Transit Commissioners' Office,
164, Phillip-street, Sydney.

THE undermentioned place is hereby appointed as a Stand for Omnibuses for the times stated hereafter, and during the performances in the Victoria Theatre, Pitt-street:—

Omnibus Stand to be used from 10 p.m. to the close of the Theatre only.
Pitt-street, east side, from Market-street, to rank north.

Passed by the Board of Metropolitan Transit Commissioners, this second day of February, in the year of our Lord one thousand eight hundred and seventy-six.

B. PALMER, Chairman.
(L.S.) MICHL. CHAPMAN, Commissioner.
EDMUND FOSBERY, I.G.P., Commissioner.

W. J. MERRIMAN, Registrar.

1875-6.

NEW SOUTH WALES.

PUBLIC VEHICLES REGULATION ACT OF 1873.

(BY-LAWS.)

Presented to Parliament, pursuant to Act 36 Vict. No. 14, sec. 15.

Colonial Secretary's Office,
Sydney, 14th July, 1876.

THE following By-laws, made by the Metropolitan Transit Commissioners, for regulating, &c., the dimensions of Hansom Cabs, having been confirmed by His Excellency the Governor, with the advice of the Executive Council, are published in accordance with the requirements of the "Public Vehicles Regulation Act of 1873."

JOHN ROBERTSON.

WHEREAS it is desirable to make some provision to regulate and fix the dimensions of Hansom Cabs to be hereafter licensed: The Board of Metropolitan Transit Commissioners, constituted and empowered by the "Public Vehicles Regulation Act of 1873," do, by virtue of the authority vested in them by the said Act, hereby make, order, and declare as follows:—

No license shall be hereafter granted to any Hansom Cab under the By-laws of the Metropolitan Transit Commissioners, unless the said cab shall be of the following dimensions:—

Height inside from bottom or floor thereof to roof (in front of seat),—Four feet ten inches.

Height inside, from top of seat to roof,—Three feet six inches.

Width of seat room,—Three feet.

Depth of seat,—One foot two inches.

Space from front of seat to inside of door,—Eleven inches.

Width outside, immediately over door,—Not less than three feet seven inches.

Passed by the Board of Metropolitan Transit Commissioners, this fourteenth day of June, in the year of our Lord one thousand eight hundred and seventy-six.

B. PALMER, Chairman.

(L.S.) MICHL. CHAPMAN, Commissioner.

EDMUND FOSBERY, Commissioner.

W. J. MERRIMAN, Registrar.

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LEGISLATIVE ASSEMBLY,
NEW SOUTH WALES.

REPORT

OF THE

STORAGE OF GUNPOWDER BOARD,

APPOINTED 11TH MARCH, 1875,

TO ASCERTAIN AND REPORT AS TO THE BEST PLACE AND AS TO THE PROPER
MODE OF STORING GUNPOWDER, &c., &c.;
AND TO CONSIDER THE DESIRABILITY OF THE REMOVAL OF THE
GOAT ISLAND MAGAZINE;

TOGETHER WITH

RECOMMENDATIONS, MINUTES OF EVIDENCE,

AND

APPENDIX.

ORDERED BY THE LEGISLATIVE ASSEMBLY TO BE PRINTED,
16 *November*, 1875.

SYDNEY: THOMAS RICHARDS, GOVERNMENT PRINTER.

1875.

CHAIRMAN.
CAPTAIN G. K. MANN.

MEMBERS.

LIEUTENANT-COLONEL RICHARDSON.

E. O. MORIARTY, ESQUIRE.

CAPTAIN HIXSON.

JAMES BARNET, ESQUIRE.

1875.

LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

STORAGE OF GUNPOWDER.
(CORRESPONDENCE.)

THE UNDER SECRETARY FOR FINANCE AND TRADE TO THE CHAIRMAN, STORAGE OF GUNPOWDER BOARD.

The Treasury, New South Wales,
Sydney, 5 May, 1875.

SIR,

With reference to the appointment by the Government of a Board to consider the desirability of the removal of the Goat Island Magazine, I am directed by the Colonial Treasurer to acquaint you, as Chairman, that the following gentlemen have been appointed to the Board, viz. :—

Lieutenant-Colonel Richardson,
Captain Hixson,
and
James Barnet, Esquire.

With E. O. Moriarty,
Esq.

I am directed at the same time to state that the Colonial Treasurer confirms the instructions addressed to you from the Department of the Colonial Secretary, and contained in Mr. Halloran's letter of 11th March last.

I am to add, that it is very desirable the inquiry should be entered upon at once, and prosecuted with the greatest dispatch consistent with the important nature of the investigation.

Copy herewith.

I have, &c.,
G. EAGAR.

[Enclosure.]

The Principal Under Secretary to The Chairman of the Board to report respecting the Gunpowder Magazine and Storing of Gunpowder.

Colonial Secretary's Office,
Sydney, 11 March, 1875.

Sir,

Referring to the enclosed account given in the *Herald* of the 5th instant of an interview which took place on the previous day between the Colonial Secretary and a Deputation appointed to wait upon him from the Sydney and certain of the Suburban Corporations and the Chamber of Commerce, to urge the removal of the Gunpowder Magazine to some safer place than Goat Island, I am directed by Mr. Robertson to request that you will have the goodness, in conjunction with the officers mentioned in the margin, who have been instructed to meet you at their earliest convenience, to ascertain and report as speedily as possible, as to the best place and as to the proper mode of storing Gunpowder.

A correspondence that has recently occurred, relative to Gunpowder being landed and left in an exposed situation at the Circular Quay without proper supervision, is enclosed for the information of yourself and the other members of the Board.

President of Marine
Board.
Engineer-in-Chief for
Harbours and River
Navigation.
To be returned.

Captain Mann,
&c., &c., &c.

I have, &c.,
HENRY HALLORAN.

THE PRINCIPAL UNDER SECRETARY TO THE UNDER SECRETARY FOR FINANCE AND TRADE.

Colonial Secretary's Office,
Sydney, 7 July, 1875.

SIR,

With reference to my letter of the 11th of March, respecting the appointment of the Gunpowder Storage Board, I am directed to request that the present state of the matter with which the Board was appointed to deal may be made known to me, for the information of the Colonial Secretary.

I have, &c.,
HENRY HALLORAN.

The Chairman of the Board, for the desired information.—G.E., B.C. 9/7/75.

THE

THE CHAIRMAN, STORAGE OF GUNPOWDER BOARD, to THE UNDER SECRETARY FOR FINANCE AND TRADE.

The Gunpowder Storage Board, &c.,
Office—Harbours and Rivers,
13 July, 1875.

SIR,

In reply to your B.C. communication of the 9th, forwarding the Honorable the Colonial Secretary's letter of the 7th instant, I do myself the honor to inform you that, on receipt of your instructions of the 5th May last, completing the nomination of the Members, the Board appointed to inquire and report relative to the storage of Gunpowder, &c., were thereupon enabled to proceed with the important duties entrusted to them.

As a preliminary step a careful and minute inspection was at once made of the Gunpowder Magazines.

These were found to be in good order and apparently carefully supervised; but further information will probably induce the Board to recommend some radical changes in their general arrangements.

The Board since their final organization in May have met twelve times, and have examined the witnesses enumerated in the margin. The evidence thus obtained, which is now in the hands of the printer, comprises much information, but additional evidence is necessary, particularly relative to the storage and transit of other explosives, such for instance as dynamite, gun-cotton, and the like.

The Board has also been engaged in the examination of various sites for Gunpowder Magazines.

No definite decision has yet been arrived at, but the information already obtained would seem to point to the advisability of discontinuing the Magazine at Goat Island.

We find also that a prominent element of danger to the community generally, exists in the removal and transit of powder about the harbour, from the practice being on these occasions to entrust it to inexperienced hands, and moreover to convey it in ordinary boats with inadequate precautions, and without any indication of the dangerous nature of the freight; also in a marked degree from the occasional inefficiency of the packages of merchants' powder.

A question is here involved which probably may be considered by the Government of sufficient importance to call for some special legislation, and for regulations placing explosives during transit under the supervision of the Magazine Department.

In view of the foregoing, a telegram has been sent to England, at the instance of the Board, for the transmission to the Government, by the earliest opportunity, of the Evidence and Report of an analogous Committee that was sitting in January last, on the Transit and Storage of Gunpowder, and for other official documentary information bearing upon the subject.

That Committee may not yet have completed its labours, as it is stated that "every day fresh questions crop up"—each difficulty demanding further efforts to meet its peculiarities; but doubtless the information that has been collected by the action of the Imperial Government up to this time, following as it does on the Report and Evidence of the Select Committee of the House of Commons, in June, 1874, will be found to be of great value.

The Board is still engaged taking evidence necessary to make the inquiry both as searching and complete as possible.

I have, &c.,
GOTHER K. MANN,
Chairman.

THE CHAIRMAN, STORAGE OF GUNPOWDER BOARD, to THE UNDER SECRETARY FOR FINANCE AND TRADE.

The Storage of Gunpowder Board,
Office—Harbours and Rivers,
30 August, 1875.

SIR,

I do myself the honor to state that the Board is desirous of obtaining information relative to a portion of land situated between the Parramatta River and Hacking's Creek, being a portion of Blaxland's grant, or of land situated and bounding it on the east and south-east, and I have to request that the Surveyor General may be instructed to cause a survey to be made of the land in question showing the following particulars, viz. :—

Section showing the relative heights of the ground above high-water tides ;
Do. do. of do. low do. do.
and of the extreme flood levels.

I have, &c.,
GOTHER K. MANN,
Chairman.

The Under Secretary for Lands.—G.E., B.C., 2/9/75.

THE UNDER SECRETARY FOR FINANCE AND TRADE to THE CHAIRMAN, STORAGE OF GUNPOWDER BOARD.

The Treasury, New South Wales,
Sydney, 5 October, 1875.

SIR,

I have the honor to hand you herewith two packets containing papers respecting the storage and carriage of explosives, which have just been received from London from the Agent General, and I am to request you will be good enough to lay the same before the Board appointed to report upon the subject.

I have, &c.,
G. EAGAR.

THE

THE CHAIRMAN, STORAGE OF GUNPOWDER BOARD, to THE UNDER SECRETARY FOR FINANCE AND TRADE.

The Storage of Gunpowder Board,
Office—Harbours and Rivers,
5 October, 1875.

SIR,

I do myself the honor to forward herewith a Report of the Board appointed under the instructions of your letter, dated 5th May, 1875, relative to the removal of the Goat Island Magazine and storage of gunpowder, &c.

I have, &c.,
GOTHER K. MANN,
Chairman.

[For Report, see Appendix A.]

MINUTE OF THE COLONIAL SECRETARY.

Inform the Board that I have already given instructions for the immediate carrying out of their 13th recommendation. Call their attention to my fear of injury arising during the great delay that must occur should the powder remain where it is until the buildings they recommend to be constructed are completed; and ask them if they can suggest a temporary means of providing for the removal (immediate) of the powder, say by placing it in hulks or otherwise—JOHN R.

THE CHAIRMAN, STORAGE OF GUNPOWDER BOARD, to THE UNDER SECRETARY FOR FINANCE AND TRADE.

The Storage of Gunpowder Board,
Office—Harbours and Rivers,
Sydney, 7 October, 1875.

SIR,

I do myself the honor to forward a plan of the Parramatta River, showing the position of the site proposed by letter of the 30th August last, and more particularly referred to at clause 2 of the recommendations accompanying the Board's Report of the 5th instant for a Gunpowder Magazine.

I have, &c.,
GOTHER K. MANN,
Chairman.

[For Plan, see Appendix.]

TREASURY MINUTE.

The Treasury, New South Wales,
Sydney, 8 October, 1875.

Subject—Gunpowder storage.

THE Gunpowder Storage Board make in their report, dated the 5th October instant, a number of recommendations many of which can I fear only be carried out after legislation, and some of which ought not to be dealt with without consultation with my colleagues. The 13th recommendation seems to require such prompt action that it is in this minute authorized. The Ordnance Storekeeper to be instructed to carry out the work without delay.

JOHN ROBERTSON.

With reference to the above, I should like to have it ascertained whether the Government have power to remove the gunpowder forthwith without legislation, as, in that case, the Cabinet may think it desirable to procure hulks for the purpose.

JOHN ROBERTSON.

THE UNDER SECRETARY FOR FINANCE AND TRADE to THE CHAIRMAN, STORAGE OF GUNPOWDER BOARD.

The Treasury, New South Wales,
Sydney, 8 October, 1875.

SIR,

I do myself the honor to acknowledge the receipt of your letter of the 5th instant, covering the Report of the "Storage of Gunpowder Board."

I have submitted this document to the Minister acting for the Colonial Treasurer, and I am directed to inform you that Mr. Robertson has already given instructions for the immediate carrying into effect of your 13th recommendation.

I am further to call your attention to the possible injury that may arise from the retention of the gunpowder at Goat Island during the time necessary to admit of the construction of the proposed new Magazine; and I am to ask if the Board can suggest any immediate temporary means for providing for removal and storage of the gunpowder—say by placing it in hulks or otherwise.

I have, &c.,
G. BAGAR.

THE UNDER SECRETARY FOR FINANCE AND TRADE, to THE ORDNANCE STOREKEEPER.

The Treasury, New South Wales,
Sydney, 8 October, 1875.

SIR,

I have the honor, by direction of the Minister acting for the Colonial Treasurer, to call your attention to the recommendation of the Board as to the storage of gunpowder, of which a copy is given on the other side; and I am desired by Mr. Robertson to request that the action necessary to the carrying of the Board's suggestions contained therein into effect may be taken at once.

I have, &c.,
G. EAGAR.

Recommendation referred to.

"13. That the whole of the underwood at Goat Island be cleared away, and that the general surface of the island be kept clear from undergrowth. That no buildings be erected in the vicinity of the Magazine, and that the small building *in particular* to the eastward of it be at once removed."

THE ORDNANCE STOREKEEPER AND BARRACK MASTER to THE UNDER SECRETARY FOR FINANCE AND TRADE.

Ordnance Office,
Sydney, 11 October, 1875.

SIR,

I have the honor to acknowledge Treasury letter, No. P6, 2,074, conveying certain recommendations of the Board as to the storage of gunpowder to be carried out on Goat Island.

I beg to inform you that I have invited the Colonial Architect to proceed with the immediate removal of the building (at some inconvenience) to eastward of the Magazine, and have requested that no buildings be erected on Goat Island in the vicinity of the Magazine.

I have found it necessary in executing the clearance of the underwood, which is extensive at Goat Island, to employ three additional men at 6s. per day, which, with an extra allowance to departmental labourers, will occasion an outlay of about £50.

Instructions have been issued that the general surface at both the islands must be kept clear of all undergrowth at all times.

Trusting the action taken in this matter will meet with approval,—

I have, &c.,
J. THOS. BLANCHARD,
Ordnance Storekeeper and Barrack Master.

P.S.—The whole of this work will occupy at the least a fortnight to complete.

THE CHAIRMAN, STORAGE OF GUNPOWDER BOARD, to THE UNDER SECRETARY FOR FINANCE AND TRADE.

The Storage of Gunpowder Board,
Office—Harbours and Rivers,
Sydney, 13 October, 1875.

SIR,

I do myself the honor to inform you that the Board having had under their consideration your letter of the 8th instant, suggesting an "immediate temporary means for providing for removal and storage of the gunpowder, say by placing it in hulks or otherwise," until the proposed new Magazine is completed, are of opinion that their Report of the 5th instant offers the most certain and readiest means of removing, as far as practicable, any cause of danger that may exist at the Goat Island Magazine. They therefore recommend its immediate adoption, as far as at present practicable, in preference to the transfer of the powder on board a hulk,—a step that would necessarily be attended with some delay, considerable inconvenience to the trade, and much danger.

Should the Government however be desirous of placing the merchants' powder now stored at Goat Island in a hulk at a distance from the city, the Board consider that a properly fitted-up vessel might probably be procured and moored at a site in the vicinity of the locality recommended for the new Magazine, at a cost of from £2,000 to £3,000.

This arrangement would necessitate some special provision for transit and the erection of temporary buildings for quarters for the men in charge, as no fires or cooking could be permitted on board.

With a view of removing the additional impediment to trade, it was suggested at the Board that a quantity of merchants' gunpowder might still be retained at Goat Island, sufficient to meet the current demand. Had this powder been the property of one individual or firm, and also of one description, this suggestion would possibly have been feasible as a temporary measure, but the Board are of opinion that the danger from the frequent removal of small packages of gunpowder to and from the Magazine, for the supply of the trade and replenishing the stock at the Goat Island Magazine, would more than counterbalance any advantage arising out of this latter proposal.

The statement set forth in the 12th paragraph of the Report is fully borne out by all the documentary evidence in the possession of the Board.

I have, &c.,
GOTHER K. MANN,
Chairman.

THE CHAIRMAN, STORAGE OF GUNPOWDER BOARD, to THE UNDER SECRETARY FOR FINANCE AND TRADE.
 The Storage of Gunpowder Board,
 Office—Harbours and Rivers,
 Sydney, 28 October, 1875.

SIR,

In returning herewith enclosures, as per schedule, forwarded with your letter of the 5th instant, I have the honor to inform you that the Board find that the evidence and recommendations therein set forth are, as far as applicable, confirmatory of the correctness of their Report of the 5th instant.

2. These Reports, commencing with Colonel Boxer's inquiry relative to the explosion at Erith, in May, 1865, and terminating with the "First Report of the Committee on the Storage and Transit of Gunpowder and Guncotton," dated 20th March, 1875, embracing a period of about ten years, are for the most part a review of the imperfections of the Imperial Law relating to gunpowder and other explosives, which law however does not appear to have been as yet revised by recent enactment.

3. As a matter of further detail, the Board would supplement their Report of the 5th instant, by drawing attention to such paragraphs in the information now received as appear applicable to this Colony.

4. "22. The general regulations agreed to by the Clearing-house, in which all the Railways of England and Scotland join, are as follows:—

"1. Gunpowder may only be packed for transmission by railway in one of the undermentioned modes:—

"1st. Kegs or barrels, in quarter, half, or whole barrel sizes, thickness according to size of barrel and quality of wood used; minimum, half an inch.

"2nd. Canisters made of tin, copper, zinc, or other approved metal; and cardboard boxes, sufficiently strong and well made to prevent leakage, enclosed in wooden cases. Thickness of cases half an inch, ends one inch.

"3rd. Metallic cylinders of an approved pattern, similar in construction to, and equally secure as those used by Government for the conveyance of small quantities of powder by rail.

"2. Gunpowder in kegs, barrels, wooden cases, or canisters, must not be loaded with other explosives or goods, and must only be carried in gunpowder vans, and except by special arrangement, in the same van throughout, and on certain fixed days to be named as described by the respective Companies.

"3. Gunpowder, in metallic cylinders, as described above, may be conveyed either in gunpowder vans or in ordinary goods vans, but must not be loaded with other dangerous articles such as acids, lucifer matches, fuses, petroleum, or cartridges.

"4. Each package must be labelled 'gunpowder,' with letters of not less than 1 inch in depth, and no package must contain more than 100 lbs.

"23. Each Railway Company has special rules in addition to the above, which enter more or less into detail. Those of the Great Eastern Railway are more strict and comprehensive than any others within the knowledge of the Committee. The following deserve particular notice:—

"Two inspectors are appointed whose duty it is to receive all powder delivered for transmission. They are supplied with a special suit of clothing, consisting of canvas trowsers, smock-frock, cap, and leather slippers. Before entering a van they are required to divest themselves of their ordinary jacket, waistcoat and cap, and put on the canvas dress. They are also strictly enjoined never to stand or walk inside the van without the slippers, and never to allow the sole of the slipper to come in contact with anything but the floor of the van. They are also strictly charged never, when with the gunpowder vans, to carry lucifer matches or steel articles of any kind in their pockets.

"The vans are always to be kept locked, waggons containing oil or other goods of an inflammable nature must not be put on the train near vans containing powder.

"In loading or unloading a powder van, when not done direct between the van and the road vehicle, sheets must, as far as practicable, be placed on the platform or ground over which the packages are carried. Not more than three vans containing powder must form a part of any one train, and when more than one van is forwarded, the vans are to be separated from each other and from the engine by as great a length as practicable. Nothing whatever is to be put in the gunpowder van with gunpowder.

"Special circumstances are provided for by more detailed instructions.

"24. The 'safety cylinder,' referred to as 'used by the Government for the conveyance of small quantities of powder' is known as 'case iron for conveyance of ammunition by rail.' It is made in two sizes, to hold respectively half and quarter powder or ammunition barrels. It is constructed of iron, one end is permanently closed, the other has a removable iron lid secured by four iron screw bolts; a spanner accompanies the case.

"When loose powder is to be conveyed, it is packed in bags of flannel, which are then placed in a barrel; this is enclosed in a stout canvas bag, before it is packed in the cylinder. A canvas bag is likewise used as a cover for the ammunition barrel before it is placed in the cylinder."

5. In the same report it is recommended that hired and un-decked vessels should not be used for the conveyance of gunpowder and explosives; that the barges for this service should be "closed-decked, fitted with sinking-valves," and supplied with "a small fire-engine, capable of being worked by one man."

6. Much contained in Major Majendi's "Reports on the necessity for the amendment of the law relating to Gunpowder and other explosives," presented to both Houses of Parliament by command of Her Majesty in 1874, is inapplicable to this Colony, but the Board consider that the following suggestions which are in conformity with Major Majendi's recommendations, are deserving of consideration in the event of the Government determining on a revision of the existing law:—

(a) To recognize and bring specially within the operation of the law all those explosives the existence of which is an established fact.

(b) To give power to the Government to apply the law from time to time to any new explosive P. 16.

(c) To prohibit the use of unsafe tools or the misuse of gunpowder magazines, by the storage within them of improper articles or other explosives.

(d.)

Storage and Transit of Gunpowder and Guncotton, Committee's Report, 2nd March, 1875, P. VI.

Committee's Report, 2nd March, 1875, paragraphs 33 to 36.

- (d.) To secure that only competent persons shall act as managers of magazines.
- (e.) To oblige persons employed in magazines to use and wear suitable clothing.
- (f.) To regulate the manufacture and "breaking up" of ammunition and fireworks.
- (g.) To regulate the nature of barrels, cases, or packages which may be used for the storage and transport of gunpowder and other explosives.
- (h.) To prohibit the preparation of blasting cartridges, mining fuzes, and used for blasting in dwelling-houses or unsuitable places.
- (i.) To regulate the provision for the security of magazines in connection with mines, quarries, and collieries.
- (j.) To regulate the storage of powder used in the construction of railways, docks, and other public works.
- (k.) To regulate the loading of gunpowder and other explosives in vessels, trains, and other conveyances, or the unloading of the same.
- (l.) To authorize the inspection of all private magazines and stores of gunpowder and other explosives, and to give power to the inspector to enforce the immediate removal of all unsafe tools or improper material that he may find stored therein.

The Board further recommend that in all cases where water is procurable, a fire-engine or hydrant, engine hose, ladders, and firehooks, &c., be supplied to store gunpowder magazines.

That gauze-wire be fitted to all magazine and laboratory windows and apertures for ventilation.

I have, &c.,

GOTHER K. MANN,
Chairman.

SCHEDULE of Reports and Proceedings as forwarded from the Agent General.

1. "Gunpowder"—"Copies of the Reports of Lieutenant-Colonel Boxer, R.A., and of Correspondence relating to the explosion of gunpowder at Erith, and the condition of Magazines and Manufactories of Gunpowder. House of Commons, 4 May, 1865."
2. "Gunpowder." "Copy of further Correspondence relating to the Cartmel and Cotton Gunpowder Works. 13 June, 1865."
3. "Gunpowder, &c., Explosions." Return of Explosions during 1868, 1869, and 1870, in Powder Mills and Magazines, and in Manufactories and Depositories of other compositions of an explosive nature. 4 April, 1871.
4. Report on the Explosion of Guncotton at Stowmarket, 11th August, 1871, dated 9th September, 1871.
5. "Report from the Select Committee on Explosive Substances." 26 June, 1874.
6. Index to the same. 26 June, 1874.
7. "Report and Proceedings at the Special Committee on Guncotton, &c." 1871 to 1874.
8. Reports on the necessity for the amendment of the Law relating to Gunpowder and other explosives, by Major Vivian Dering Majendie, R.A., 1874.
9. Committee on the Transport and Storage of Gunpowder and Guncotton. Report on the Transport of Gunpowder, 20 March, 1875.

THE UNDER SECRETARY FOR FINANCE AND TRADE TO THE CHAIRMAN, STORAGE OF GUNPOWDER BOARD.

The Treasury, New South Wales,
Sydney, 13 November, 1875.

SIR,

Referring to my letter of the 5th ultimo, forwarding certain papers relative to explosive substances, I have now the honor to hand you herewith the following further publications on the same subject, which have just been received from London, from the Agent General, and I am to request you will be good enough to lay them before your Board, viz. :—

1. Complete set of the forms in use in relation to the grant of licenses for nitro-glycerine preparations—(but I am to observe that these forms will be discontinued on the coming into operation of the new Explosion Act, 38 V. c. 17, on the 1st January, 1876).
2. Copy of an Order in Council, classifying explosives, made under the new Act.
3. Three pamphlets by Major Majendie, R.A.
4. Explosives Act, 1875 (38 Vic. c. 17).
5. Annual Report of H.M. Inspector of Gunpowder Works (Major Majendie).
6. Journal of the Society of Arts, No. 1,175, dated 28th May, 1875 (contains a good paper on Modern Blasting Agents.)

I have, &c.,

G. EAGAR.

APPENDIX

A

REPORT

OF the Board appointed to ascertain and report as to the best place, and as to the proper mode of Storing Gunpowder, &c., &c.; "and to consider the desirability of the removal of the Goat Island Magazine."

THE Board in their investigation as to the dangerous proximity to the city of the Goat Island Magazine, and the collateral questions emanating from that inquiry, and those to which their attention was directed by the enclosures to the Colonial Secretary's letter of 11th March, and your letter of the 5th May, have examined the witnesses named in the margin, the existing enactments, and all procurable official and other documentary information bearing upon the question. They have also minutely inspected the magazines at Goat Island and Spectacle Island, and visited various localities likely to afford suitable sites for the storage of gunpowder.

Commodore
Goodenough, R.N.
Mr. J. T. Blanchard.
Mr. Thomas Rogers.
Mr. W. M. Jackson.
Mr. H. Williams.
Mr. W. Wolfen.
Mr. William Bayliss.
Mr. W. M. Alderson.
Mr. John Alger.
Mr. J. Lang.
Mr. D. Vernon.
Mr. J. T. Blanchard.
Major C. Roberts.

2. Although the information thus obtained is not so full and conclusive in many particulars as could be desired, it is nevertheless considered by the Board sufficient to justify them in recommending, for the safety of the public, some material changes in the existing Law of the Colony, bearing on the management of magazines, and the transit of gunpowder and other explosives.

3. The Imperial Government has been for some considerable time past prosecuting an analogous inquiry to that entrusted to this Board, and the reply, which may be shortly expected to the telegram recommended to be forwarded by their letter of the 9th June, 1875, will doubtless contain valuable information not now obtainable in the Colony.

4. The enactments now in force in New South Wales, relative to the question under investigation are in many particulars insufficient, and in some disregarded; such defects were not, however, peculiar to this Colony; the evidence taken before the Select Committee of the House of Commons in June, 1874, discloses a somewhat similar inadequency in the Imperial Law.

5. In the Colonial Act, 5 Vic., No. 11, by clause 2 it is enacted that all boats for the conveyance of gunpowder "shall be properly housed over, &c."; it is considered that the intention of this provision of the Act has hitherto not been fulfilled, the usual practice being merely to spread a sail or tarpaulin over the hatchway of an ordinary vessel or ballast boat, as described by Mr. Bayliss in his evidence, and it is, or has been, customary to convey gunpowder and other explosives in a waterman's boat without covering.

6. Gunpowder and other explosives for transmission to the interior by the Southern and Western Railway are now delivered at the head of Darling Harbour, no doubt with a view of avoiding transit through the City. This practice is in direct contravention to the provisions of the 19th Vic. No. 6, which enacts that gunpowder shall be landed at Dawes' Point only. By reason of the large and rapidly increasing traffic in Darling Harbour the present arrangement is no longer safe.

7. The guard or watch at each magazine as at present constituted is manifestly insufficient, this is shown by Mr. Blanchard's evidence to consist of the ordinary magazine labourers, acting on their own responsibility. A watchman told off for duty for the night may have been fully employed during the day; it is therefore unreasonable to suppose that he could under such circumstances be vigilant, and in the event of his being required to act, he has no definite legal authority to guide him.

8. It is considered that localities selected by the Government as sites for powder magazines and for the storage of other explosives, after being duly proclaimed, should be protected by special enactment, and that trespassers within their boundaries should be liable to fine or imprisonment.

9. Under the existing law of the Colony any person may constitute himself a dealer in gunpowder and explosives, subject to the restrictions of the 10th clause of 7 Wm. IV. Magazines may also be established without restriction in the country districts for the storage of any quantity of these materials. The Board consider that the public safety is endangered by this system, and that no person should be permitted to store or deal in gunpowder or other explosives without obtaining, in the first instance an ordinary license, and in the second a special license, for a magazine to store larger quantities.

10. It is not considered advisable to recommend any modification of the law prohibiting the conveyance of gunpowder by steam vessels. Placing due weight on Mr. Williams' evidence that "these stringent regulations induce people to break the law, and that they act unfairly to those who are inclined to keep it." The Board are notwithstanding of opinion that the transit of gunpowder and other explosives by ordinary steam vessels would be attended with too much risk to the public to justify its being authorized.

11. The transit of gunpowder and other explosives, both by land and water, as at present conducted in the Colony, is a source of considerable danger to the public.

12. Gunpowder when once stored in a magazine and guarded under proper and stringent regulations is comparatively safe, but the operation of handling and removing it is attended with danger. Accidental explosions generally occur during transit, as instanced by the origin of the explosion at Erith, and more recently of that on the Regent's Canal. Hence the evident necessity of employing experienced and disciplined labor, and boats and vehicles of approved construction.

13. These essential precautions have hitherto not been sufficiently observed, the transit of Government and merchants' gunpowder, ammunition, and explosives being entrusted to lightermen and watermen in boats of ordinary construction with inadequate protection. The same absence of proper care characterizes the transit of these materials on shore.

14. The Board are of opinion that to ensure all possible safety to the public the carriage of explosives in the harbour, through the city, and for delivery at the railway, should be under the direct control of the Government.

15. The attention of the Board was directed at an early period of their inquiry to the frequent inefficiency of the packages of mercantile powder.

16. The late Commodore Goodenough, in his evidence before the Board, lays considerable stress on this: He estimates that "95 per cent. or even more" of the danger attending the storage in magazines is due to the presence of merchants' powder. It is observed that the Government has had occasion to issue a special magazine regulation relative thereto. Mr. Bayliss in his evidence details as an example an instance of inefficiency. Mr. Curtis before the Select Committee of the House of Commons (26th June, 1874) states: "I think if packages were made as perfect as they might be many accidents from gunpowder would be prevented." A similar opinion is expressed in other parts of the evidence, and it may be noted here that the serious and fatal explosion that occurred in this Colony, about two miles from the Weatherboard Inn, on the 16th November, 1865, originated in the "defective state of the casks."

17. The efficiency of package for general use is therefore unquestionably of great importance, but it is inferred that so long as the demand for gunpowder is supplied by importation the customary trade package cannot well be regulated by local enactment, and that legislation in this direction must emanate from Imperial authority. Apparently from the following extract, attention has recently been directed to this subject:—"Major Majendie, R.A., the Government Inspector of Explosives, is busily engaged in the laboratory department of the Royal Arsenal at Woolwich, testing the strength of powder-barrels ordinarily employed for the storage and transit of this material, with a view of designing a pattern which shall be rigidly adhered to by all manufacturers of such articles."

18. Improvement in the package of merchants' powder may therefore be expected, but it is considered that the necessities of the trade will not permit of this ever becoming so perfect as that used for Government service. It is essential therefore, with a view of insuring the utmost possible safety, that merchants' gunpowder should be stored in distinct and separate magazines especially constructed for its reception, and at a safe distance from Imperial and Colonial Government powder.

19. It has not been possible to obtain any information that would define the limits of the area of danger surrounding a gunpowder magazine. Majors Majendie and Ford, of the Royal Artillery, before the Select Committee of the House of Commons, "can give the Committee the limit of the effect of some of the more considerable explosions that have taken place, but they are so exceedingly capricious that we cannot decide any positive rule for them." Mr. Curtis before the same Committee states:—"With reference to the area of danger, I do not think that I could give definite information, because so much depends on many circumstances in connection with the explosion. My own feeling is that an explosion may often happen with fifty barrels of gunpowder, and produce quite as serious an effect as if there were 100 barrels. It depends on the buildings, the state of the wind, and various other circumstances." The late Commodore Goodenough and other witnesses gave evidence before the Board to the same effect.

20. Ordinary precaution requires this question to be considered under its most unfavourable aspect, and from this view it is apparent that the danger area, and effect of an explosion of 500 tons of gunpowder, a quantity that has been stored at one time in the Goat Island Magazine, would include and be disastrous in the extreme to a very considerable portion of the city and its suburbs. Goat Island should not therefore be retained as the site for the principal gunpowder magazine of the Colony, but it is considered, that for some time to come, it might be made available for storing with safety the smaller quantity of ammunition and gunpowder required for Her Majesty's ships on this station.

21. A distinct arrangement for the storage of merchants' gunpowder and explosives thus becomes necessary, and the Board have visited various localities that appear to them likely to possess the conditions essential for this magazine; that is to say, combining the greatest security to the public, with the least possible impediment to trade. After careful inspection it is considered that a site on the right bank of the Parramatta River offers the best prospects of attaining these desiderata, from its comparative isolation, capabilities of easy and safe access by land with the Railway at Haslem's Creek, and facilities for transit by water with the harbour and city.

22. The Board consider that Spectacle Island may, with some re-arrangement and additional buildings, be safely continued as a site for a magazine for the storage of Colonial Government powder and ammunition, but they are of opinion that its present capacity should not be increased.

23. The Board has also had under discussion the expediency of establishing magazines in the country districts, with a view to the distribution of the stock of gunpowder held by the merchants, and thus obviating the necessity for the storage of the bulk of that material in the vicinity of Sydney, and also as a means tending to reduce the necessity that now exists for its frequent transit by rail and otherwise; but on further investigation this arrangement was found to be impracticable, inasmuch as, that the consumption in any one particular locality is not a fixed or increasing, but a fluctuating, quantity. They are of opinion, however, that the object they had in view might be attained by a legalized system of "licensed powder magazines."

24. Although gunpowder magazines are more numerous in England, and in most instances closer to habitations and public thoroughfares than in this Colony, it does not appear to be necessary to store in any one of them so large a quantity as that recorded for Goat Island.

25. This may be explained by the facilities consumers there have of obtaining direct from the gunpowder manufactories a regular and periodical supply commensurate with their average current expenditure.

26. The expediency of manufacturing gunpowder in the Colony thus becomes a prominent question, considering that an increasing demand for that material must be anticipated, the probable difficulty of obtaining a sufficient and immediate supply in the event of war; and lastly, the additional safety to the public consequent on the reduction in the quantity that would be stored in the magazines. Under these circumstances the Board are of opinion that the question of establishing a gunpowder manufactory ought at no distant date to be entertained, as a considerable time must elapse before the requisite ingredients could be provided and the machinery put in operation.

27. The comparative safety of ordinary gunpowder and the various nitro and chlorate explosives now in use—such, for instance, as gun-cotton, dynamite, lithofracteur, &c., in the former, and Horsley's blasting-powder, Brain's blasting-powder, &c., in the latter class—does not appear to have been as yet satisfactorily determined, notwithstanding the many assertions to the contrary. Some railway companies in England will not convey chemical explosives. Mr. Kay, Chairman of the London and Western Railway Company, enumerates six companies who refuse to carry "dynamite," and the fatal explosion of gun-cotton at the Royal Arsenal, Woolwich, so recently as the 24th May last, when under manipulation in accordance with the most carefully prepared rules, is evidence of its instability and dangerous character.

28. Public security consequently demands that all chemical explosives should be dealt with as particularly dangerous, and the Board are of opinion that special provision should be made for storing them, and that in no instance should they be in proximity with ordinary gunpowder, neither should they be conveyed in any boat or vehicle at the same time with that material.

29. The Board therefore submit the following Recommendations:—

RECOMMENDATIONS.

1. That the whole of the merchants' gunpowder and other explosives now stored at the Goat Island Magazine be removed from that establishment, and that it be retained only for the limited quantity of gunpowder and ammunition required to be stored for the use of Her Majesty's ships on this station.

2. That a separate and distinct magazine for merchants' gunpowder, capable of storing about 300 tons, be established on the right bank of the Parramatta River, at the site indicated by the tracing forwarded by letter from the Board on the 30th August last.

3. That a suitable hulk be provided and moored at a safe distance from the proposed magazine for the storage of all explosives other than gunpowder.

4. That efficiently constructed powder barges, and a steam-launch for towing the same, be provided by the Government for the removal of gunpowder and other explosives.

5. That the magazine at Fort Denison be used as an expense magazine in the event of vessels not being ready to receive the powder brought down by the barges for exportation.

6. That for the conveyance of gunpowder and other explosives by land to and from the magazine and in the immediate vicinity of the city efficiently constructed vans only be used.

7. That the transit of gunpowder and all other explosives be under the immediate control of the Government, and that the service be conducted by experienced labor only, in conformity with Government regulations.

8. That all boats, barges, and vehicles carrying gunpowder or other explosives be obliged to exhibit a conspicuous danger signal.

9. That a guard at each of the established magazines be provided, and that to ensure efficiency three gunners and one non-commissioned officer of the Permanent Artillery Force be detailed periodically for this duty.

10. That fixed and definite boundaries be determined and proclaimed around all magazines.

11. That the law of the Colony respecting the storage and transit of gunpowder and other explosives be revised, and that authority be given to the Government to fix and define the localities for the delivery of gunpowder. That trespassing within the proclaimed boundary of a magazine be made illegal. That dealers retaining the authorized quantity of 2 cwt. on their premises be required to take out an ordinary license, and that proprietors of country and local magazines, capable of storing larger quantities of gunpowder or other explosives, be required to take out special licenses, and that all licensed stores and magazines be liable to Government inspection.

12. That all explosives be duly labelled and declared, and no explosives (except small quantities for sportsmen) be carried in public vehicles.

13. That the whole of the underwood at Goat Island be cleared away, and that the general surface of the Island be kept clear from undergrowth. That no buildings be erected in the vicinity of the magazine, and that the small building *in particular* to the eastward of it, be at once removed.

14.

14. That the following alterations be made at Spectacle Island Magazine, viz. :—The buildings now occupied as quarters in the vicinity of that magazine to be converted into storage for ammunition, shifting, and making-up rooms, &c. The shells and ammunition, now stored at the northern end, and close to the Powder-magazine, to be removed and stored in the vacated building.

15. That quarters be constructed on the vacant space, to the north-west of Spectacle Island, and that the magazine be not increased beyond a capacity of storage for 150 tons of gunpowder.

16. That in no instance should gunpowder and chemical explosives be conveyed in the same van, boat, or barge.

17. That in no instance is gunpowder, or other explosives, to be delivered from the magazine, or received by the railway for transit, until arrangements for its immediate removal on arrival at its destination are completed and provided by the consignee.

18. That regulations for the storage and transit of gunpowder and other explosives be in force in any city, town, or locality of the Colony on proclamation to that effect being made by the Governor.

19. That the regulations for gunpowder magazines in charge of the Control Department, including rules for the reception, conveyance, storage, classification, and examination of gunpowder, ammunition, and other explosives, as contained in an Imperial work designated "Treatise on Ammunition," dated 1874, and issued under the authority of the Secretary of State for War, be in force so far as applicable to the somewhat necessarily altered conditions of the Colonial service.

GOTHER K. MANN,
Chairman.

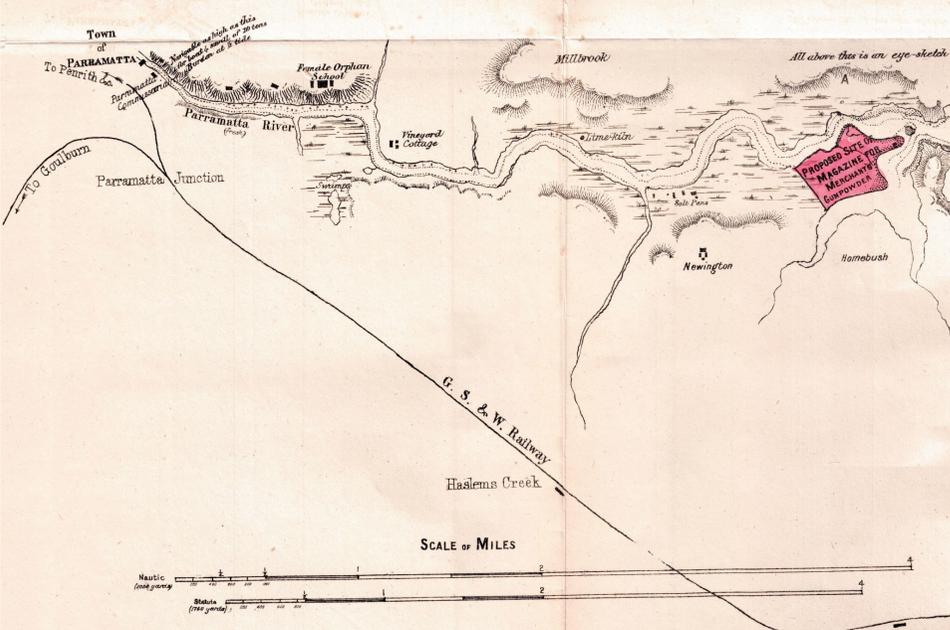
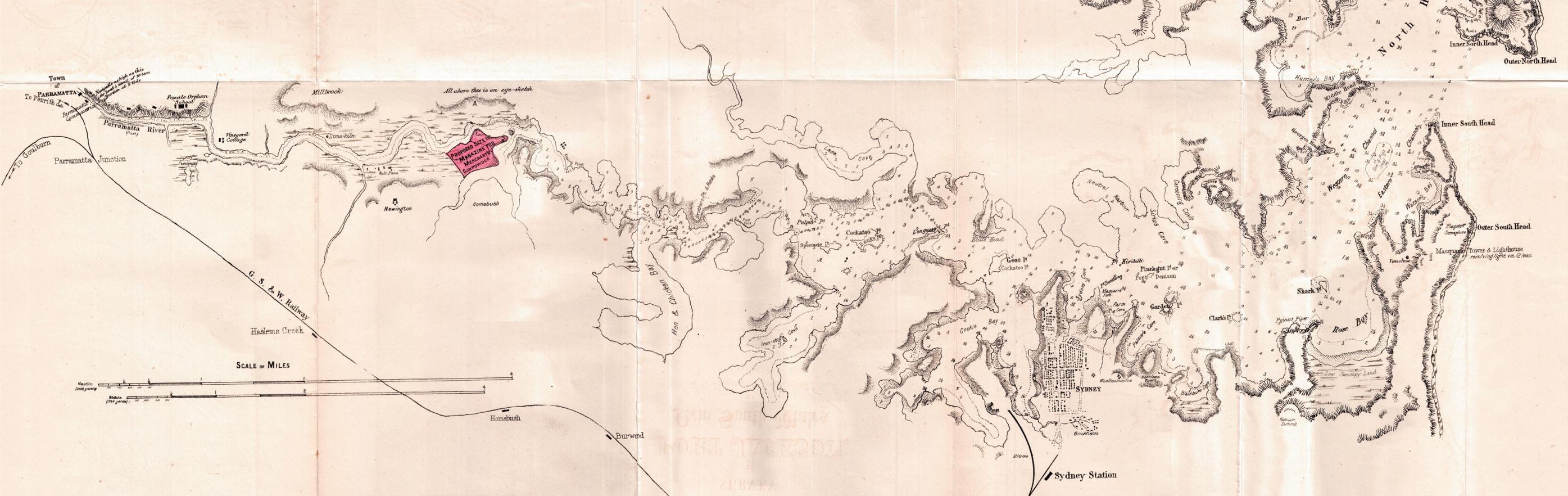
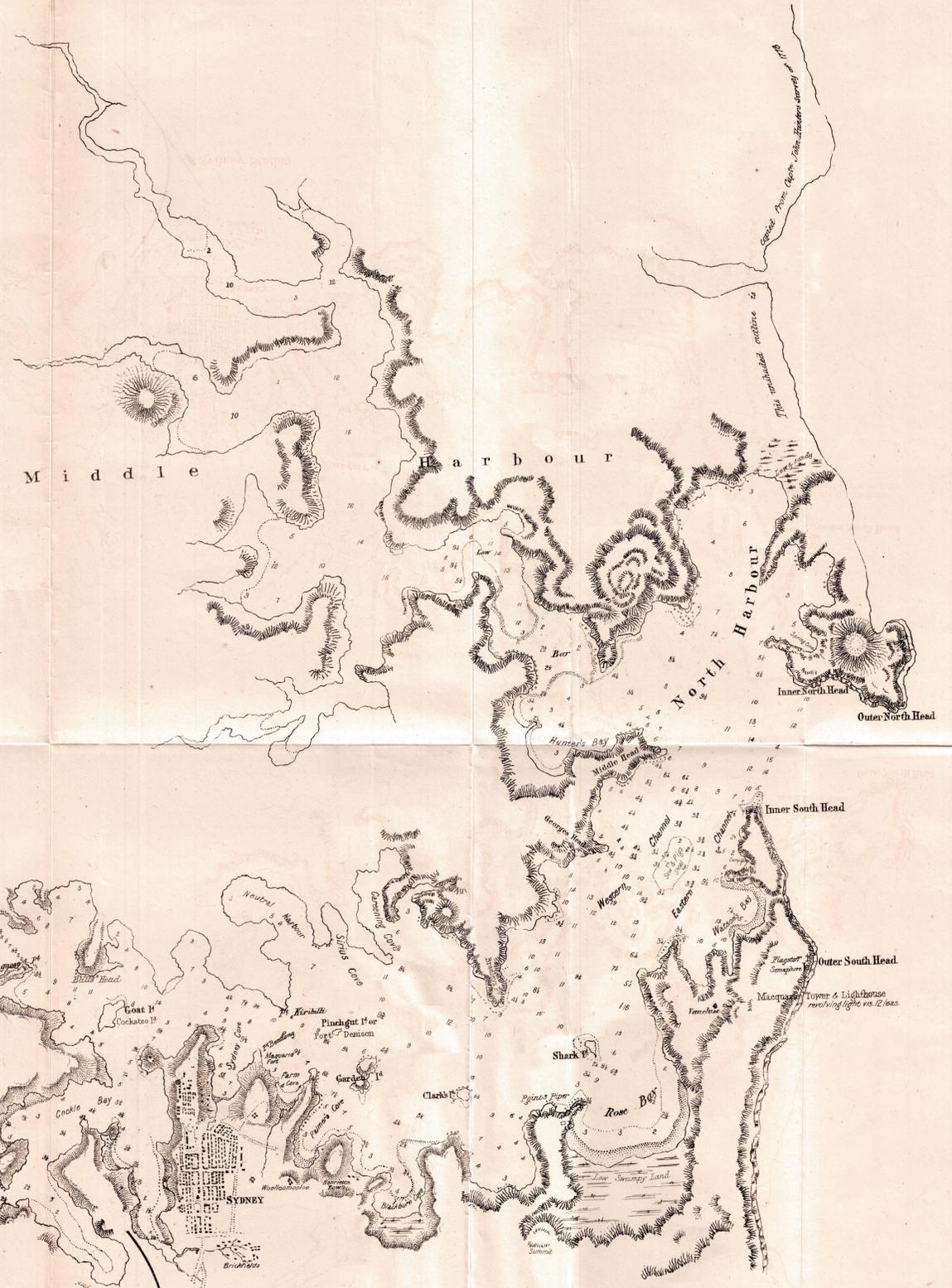
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LIST OF WITNESSES.

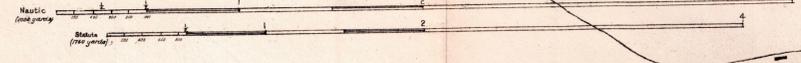
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SURVEY
OF
PORT JACKSON.
New South Wales,
BY
John Spharimus Roe, Lieut. R. N.
in 1822.

*The Soundings are in Fathoms at Low Water
High Water on Full and Change days, about 1/2 to 3/4 in Spring Tides*



SCALE OF MILES



MINUTES OF EVIDENCE
ON THE
STORAGE OF GUNPOWDER,
TAKEN BEFORE THE BOARD.

WEDNESDAY, 9 JUNE, 1875.

Present:—

CAPTAIN G. K. MANN, | E. O. MORIARTY, Esq.,
LIEUT.-COL. RICHARDSON, | J. BARNET, Esq.

CAPTAIN G. K. MANN IN THE CHAIR.

Commodore Goodenough, R.N., examined:—

1. *Chairman.*] We are very anxious to have your opinion upon certain points which have been under consideration in the course of our inquiry, and if you will allow me I will ask you a few questions. We wish to know, in the first place, whether you consider the proximity of Goat Island, as a depôt for the storage of gunpowder, to be dangerous to the city? I think the only danger which has been proved to exist with regard to a powder magazine, is that which occurs at the time of removing the powder. Certain explosions have from time to time taken place at such periods, but in the mere fact of powder being stored in a magazine there is very little danger indeed. I am not aware of any explosion having taken place, except at the time of removing the powder. Therefore there is that danger attached to the storage of gunpowder at Goat Island. As to the danger likely to arise from the reception of powder at that place I think it is advisable to look forward to the future, and to the certainty of houses being scattered over the shores of the bay immediately contiguous to Goat Island, more thickly than they are at present. And although that danger is not such as to necessitate the immediate removal of the powder stored there, I think the question of the removal of the magazine is one which might very well be entertained in connection with other arrangements at the present time.
2. What do you think would be the effect of an explosion of say 500 tons of gunpowder at Goat Island, the maximum quantity that has been stored there? That would depend in a great measure upon the direction of the wind. Supposing the explosion to take place in the summer, with a N.E. wind blowing, the damage would be very slight; but with a westerly or north-westerly wind, I should say there would be windows and roofs broken in all directions, and walls in many cases shattered.
3. Do you think that the storage of merchant gunpowder—without reference to Imperial and Colonial powder—owing to the insufficient character of the packages in which it is placed, is a source of danger? I do. To put it roughly and to express my opinion in figures, I should say that 95 per cent. or even more, attending the storage of gunpowder in magazines, is due to the presence of merchant powder often improperly packed, and to the way in which the various packages are handled from the time they are made up until they are stored. This powder passes through the hands of inexperienced persons, whereas Imperial and Colonial powder is in the hands of skilled persons throughout its existence, and is always put up in uniform and sound packages. I consider that by far the greatest part of the danger occurs when moving the powder—that is to say, merchant powder, not Imperial; and is due to the inexperience of the people who move it, and the absence of properly qualified men.
4. Do you consider that the storage of gun cotton, dynamite, and other explosive substances of that character, in the proximity of a gunpowder magazine, is dangerous? I don't think gun cotton, in the way it is manufactured at present, is, but there is danger from the presence of dynamite and any of those highly explosive compounds which you do not see here in general use at all at present, but which might be imported for commercial purposes. I think it has been shewn that gun cotton in its present manufactured state is only dangerous when placed in the middle of a large fire, so that the whole of its temperature is raised to a very high point; it then becomes explosive, but only then—that has been proved. The danger is therefore comparatively less—less than from gunpowder.
5. What is the quantity of gunpowder which, in your opinion, may safely be stored in any one establishment? That is a subject to which I have not directed my attention. I should say that would be better seen by reference to the storage of powder in different establishments in Europe. I should be loth myself, with the little knowledge I have of the subject, to put more than 200 tons at the outside into one magazine.
6. You were kind enough the other day to accompany the members of this Board on a tour of inspection to the Parramatta River, when we went to search for the most eligible site for a powder magazine. Did any point which you saw during that tour strike you as being eligible for that purpose? The point which struck me as the most eligible for storing merchants' powder—not our Imperial or Colonial powder—was one in Iron-stone Cove. That seemed to combine all the requisites—distance from habitations, and easy communication, and was the most eligible in every way, as far as I could judge from the plans we had then before us, and from what we saw. It would also be near a line of railway. (*Witness pointed the position of the site on a map.*) If you could secure such a position as that you would avoid the undoubted dangers which attend the transit of powder by cart or wagon through the town.

Commodore
Goodenough,
R.N.

9 June, 1875.

Commodore
Goodenough,
R.N.

9 June, 1875.

7. Could you suggest any further precautions, which it would be desirable to adopt in the removal and transport of powder beyond those which are usually taken at present? I should say, that to make you secure in the port of Sydney, you should have for the purpose of transporting gunpowder about the harbour a properly fitted boat belonging to the Government; and that boat should, as a rule, be moored off the magazine, and placed in the charge of the Superintendent. Then when any powder had to be landed a requisition should be made to the officer in charge of the department, and she would be towed by a steam-launch, with a tow-rope of proper length, and dropped when loaded at a certain distance from the magazine, and made fast to a buoy. She could then be warped alongside and cleared, and warped out again to her buoy. What should govern the size of that boat seems to me the probable amount of powder which might be imported in any one ship;—that is to say, if you considered 15 tons the largest quantity likely to be imported in any one ship, then make the boat of that size. It would be desirable to make her as small as possible; at the same time it would be advisable that in clearing out a merchant ship the clearance should be effected by one discharge. You would thus considerably limit the sources of danger. I would also suggest that the officer in charge of the magazine should have authority to inspect all consignments of merchant powder, and to insist that such consignments be accompanied by certificates of the nature of the explosive mixture; also, that in case of powder arriving improperly packed, he should at once report the matter to the Colonial Secretary, or whoever was head of the department, and obtain authority to throw such powder into the sea—outside the Heads.

8. What length of tow-rope would, in your opinion, be necessary to insure safety? For a good boat, properly covered, I should say about 25 fathoms would be quite sufficient.

9. Do you consider that the laboratories should be in close proximity to the magazine;—to what distance would you limit them? I think they should always be in a distinct and separate place.

10. You would not recommend that they should be under the same roof as the powder? No, not under the same roof. You are speaking of the laboratories for the use of the Colonial Defence Department?

11. I am speaking generally. As a rule there is usually a laboratory attached to every magazine; in some instances they are in very close proximity, and in others at a distance from it? The only laboratory here would be immediately under the Colonial Government; it would be in the hands of no one else, and there would be no other authority. It would not be in private hands, and that is the only one we could speak of. In that case I should say it ought to be in a distinct place, and at a distance of 500 yards from the magazine. Strict orders should govern the use of that laboratory, so that not more than a certain amount of explosive matter should be in it at the same moment.

12. Do you consider the storage of percussion shells and ammunition of that description—modern ammunition—in the proximity of a magazine—at all dangerous? No; I do not consider it at all dangerous. I consider that the present percussion shells have been so thoroughly proved, and are so thoroughly secured, that there is no danger at all from them. Nor is there danger from the Sneider or percussive ammunition for small arms. In former days, I may say about six years ago, it was considered that there might be danger from the use of small arms percussive ammunition, and we used to stow it in separate places on board ship. But we have now made it so thoroughly secure, that we can put it with the other ammunition. I am speaking, of course, of Imperial ammunition, which is made up with every possible precaution. I am not thoroughly acquainted with all the varieties of ammunition made up; but probably, very likely, it might be necessary to exclude from magazines some kinds of ammunition made carelessly by certain makers. There are certain makers, such as Eley, and other well-known firms, whose manufacture is so thoroughly good that it is above suspicion.

13. In the use of a steam launch for towing powder-barges, would it be necessary to use any particular class of fuel, such as coke, instead of coal, or any fuel of that kind? I think it would be desirable to use coke certainly. Speaking of Goat Island, there are one or two dangers which might be removed at once. There are two sources of danger at Goat Island: one is the existence of a little house to the east, on a rock, and the other is the great quantity of brushwood all over the island, which might catch fire. Last summer it might very easily have caught fire when there were fires all over the country.

14. Have you formed any opinion as to the advisability of storing powder in permanent buildings—bomb-proof buildings—in preference to more lightly constructed buildings? If you went to a great expense here in Sydney you might construct a magazine which would produce the minimum amount of danger by sinking it in the sandstone rock, but that would be very expensive, and I don't think it would pay you for your trouble after you had done it. I think it would be better to have as light a building as possible. If you had a magazine sunk in the rock it would be very difficult to keep it dry. You would have to excavate a much larger space than would be occupied by the building, in order to have a trench round it, and you would have to go to further expense to facilitate the carrying away of the water.

15. *Lieut.-Col. Richardson.*] Can you give the Board any information as to the construction of a fire-proof barge, and the appliances necessary to prevent possible accidents? I do not know that anything further is required than that the barge should have very good high combing, that the whole of her hold for the reception of powder should be lined with wood, so as to make a fair surface, covering all bolts and metal work, and be lined overhead also; and that the hatches should be very well fitted with fearnought. She should have a liberal supply of Wadmil tilts and hides to protect the cargo.

16. Would it not be desirable that the nails used should be copper? The Government lighters used in Portsmouth and Plymouth are very heavily built of wood, copper-fastened, and stoutly lined, and they have lasted for years, and are as good as ever.

17. *Mr. Moriarty.*] Is the danger of moving merchants' powder so much aggravated by the passing of steamers to and fro, and the close proximity of steamers in Balmain, as in your opinion to render its removal from Goat Island necessary? I think it is increased, by the fact of steamers being continually on the move, and the danger will increase rapidly in future.

18. Do you consider that the danger from this source has now reached such a point as to render the removal of this powder from Goat Island necessary? There is no positive danger, I think, at this moment; but I think the time has arrived when the total removal of all powder from Goat Island would be desirable.

19. That applies to Imperial and Colonial powder as well as to merchants' powder? Yes; but understand me: I don't think the danger is immediate, but that now is the time to plan for the removal of the whole.

20. *Mr. Barnett.*] You would not then allow your own powder—Imperial powder—to remain there? It might remain there, I think, for some years without any very great danger; but as the subject is now under consideration I think it would be desirable to plan for the entire removal of the powder at Goat Island.

Commodore
Goodenough,
R.N.

9 June, 1875.

Island. There is very much less danger there from Imperial powder than from merchants' powder, which, as I said before, comprises 95 per cent. of the danger.

21. *Chairman.*] I think you have answered this question before, but at all events I will ask you again: You think the merchants' powder should be stored in a distinct and separate magazine from the Imperial and Colonial powder? I think it is certainly desirable.

22. Do you mean in a separate establishment? I don't think it is *necessary* that it should be in a separate establishment. I think that would be *desirable* in connection with the transit of which I was speaking; but if Spectacle Island is large enough I don't see any objection to the merchants' powder being stored in the same establishment, but in a separate building by itself. But in view of the probable increase of merchants' powder in this Colony, and to the desirability of easy conveyance to the railway, I think it would be far better to have a separate establishment at the Point we looked at the other day—Ironstone Cove—which, as I have stated, appeared to me the most eligible site.

23. Looking to the variety of explosive substances used in the present day, and to the probability of their being multiplied to a considerable extent beyond their present number, do you think it would be advisable to have a separate and distinct magazine for their location? I do not know whether the very highly explosive substances are very much used in the Colony, but when you come to explosives like nitro-glycerine and picrate of potash, I think it is absolutely necessary that they should be stored entirely apart. But I apprehend that neither of these substances are imported into the Colony; you know better than I do.

24. Dynamite and lithofracteur are a combination of nitro-glycerine;—are they not? Yes.

25. Are there any other remarks which you would like to make, or can you afford the Board any further information upon any points which we may have overlooked? I think there is nothing else, except that where powder has to be conveyed on shore from one point to another, it certainly should be conveyed in a waggon provided by the powder magazine,—that is to say, in a waggon which has been fitted, if not constructed, under proper inspection. It ought not to be conveyed through the town. I am speaking of the town, and not the country—in an ordinary waggon, of which no one knows anything. The springs might break down in the middle of the street, and the powder might be scattered about.

26. *Lieut.-Col. Richardson.*] Would not the ordinary field waggon be sufficient? Yes, provided it were sound, and known to be so from inspection by a competent person.

27. *Mr. Barnet.*] And you would have it inspected by the authorities? Yes; it would of course be a cart sent from the powder-magazine, and of course a man would be sent with it.

28. *Mr. Moriarty.*] With reference to the different towns in the Colony to which powder is sent from Sydney, would you recommend that it should be kept in a magazine, under the charge of Government authorities? Well, I do not know what quantity is used there, and what quantity is allowed to remain there. My answer to that question would depend upon the quantity which would probably require storage at one time.

29. Because private individuals are frequently very careless in respect to the charge of powder, and a great deal of powder is used by the miners of this Colony. I observe in the Report of the Royal Artillery Institution that a similar recklessness is very common at Home. The report states that powder is frequently kept "at the back of the shop, and without any sort of special protection; and in the mining districts the miners are very fond of keeping a barrel (frequently not hooped up) *under their beds*?" Yes, they are very careless.

30. *Chairman.*] I should like to ask one more question, whether there is room, or whether room could be made, on Spectacle Island, for the storage of powder for the navy? It appears to me that there is ample room to complete storage for at least 100 tons more than there is now on Spectacle Island. (*Plan of Spectacle Island Powder Magazine produced.*)

31. In the event of abolishing the magazine on Goat Island entirely, there would be no difficulty then in finding a storehouse for your powder? I should say there would be ample room here (*indicating locality on plan.*)

32. *Mr. Moriarty.*] Would there not be an advantage in having all the powder in one establishment, and in charge of one set of trained officers? Certainly, as it is now on Goat Island. The only person who visits the magazine there on Imperial account is the gunner of the Naval Depot, and he has to ask for the keys from the officer in charge before he can go in. It is now effectually under one control.

33. *Mr. Barnet.*] I think you said that you would recommend two establishments if it were proposed to build on the site you pointed out on Ironstone Cove? Yes, a separate establishment for the storage of merchants' powder.

TUESDAY, 22 JUNE, 1875.

Present:—

CAPTAIN HIXSON, | J. BARNET, Esq.,
E. O. MORIARTY, Esq.

CAPTAIN G. K. MANN IN THE CHAIR.

Mr. J. T. Blanchard, Assistant Ordnance Storekeeper and Barrack-master, Goat Island, called in and examined:—

34. *Chairman.*] How long have you been employed in your present office? Since 1871.

35. You were connected with the department before that,—were you not? Yes, the department was brought under the Colonial Government in 1871. It was previously under the Imperial Government.

36. Mr. Paton, I believe, is the ordnance storekeeper? Yes, he is in charge of the department.

37. He is suffering from severe illness, and confined to his bed to-day, is he not? Yes, and unable to leave it.

38. And he has deputed you to give us information on his behalf? Yes.

39. We are desirous of obtaining some information from you, Mr. Blanchard, relative to the practice in force for the storage and transit of powder in the harbour. Will you be good enough to state the process which takes place when you receive the powder—what is the practice at the magazine? We have no control

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control over the powder until it arrives at the magazine, when it is discharged by the lightermen, and handed over to our foreman at the Island, who stores it in the sheds. It is then transferred to the magazine and stored in bays.

40. Then the ordnance storekeeper has no control over the powder during its transit? The Act provides that the arrival of powder shall be reported to the Customs and to the ordnance storekeeper, who gives a permit for landing it, but they never do it; it is sent down in the lighters and discharged, as I tell you.
41. Then the first notice you have of the powder requiring to be landed is its arrival in the lighter alongside your wharf? Yes; of course we notice its arrival in the papers, but that is the first official notice we get.
42. In transferring Government powder or ammunition from one magazine to another, do you send an officer in charge of that transfer? No, sir, it is not usual to do so.
43. In whose charge is it then? The lighterman has charge of it in its transit from one magazine to another.
44. Then it passes from out of your control entirely for a certain period? Yes, for a short time. It is very rarely that we have to send powder from one magazine to the other. It is generally landed direct from the ship. There was a case tried in Court the other day where some powder—Government powder—was damaged in its transit.
45. There are some Government powder magazines in the country, I believe? Yes, there is a floating magazine at Newcastle, and there is one at Gulgong.
46. Are those magazines under the special control of the ordnance? Yes, they are, sir.
47. Will you describe the method adopted for the proper management of these outside magazines? When a vessel arrives at Newcastle the powder is discharged direct into the magazine. That magazine is placed under Captain Allen's supervision.
48. I allude more particularly to the officers in charge? Captain Allen has charge, and he has two men under him.
49. And with regard to the magazine at Gulgong, what establishment have you there? It consists of the foreman, Sellman, and two labourers.
50. Do you forward powder direct from the principal magazine to that establishment? No, the powder stored there is powder sent up by different merchants in Sydney. The magazine at Gulgong was established for the convenience of miners there.
51. Have you any knowledge of the daily or weekly average expenditure from these magazines, taking the Newcastle and Gulgong establishments separately? Yes, we get monthly statements from these places.
52. You can furnish the Board with that information? Yes, I can do so up to the end of last month; of course I understand by the term expenditure the issue from the magazines?
53. Yes, of course. Do you receive and issue dynamite, nitro-glycerine, and that class of explosives at Goat Island from the same jetty as you do the ordinary gunpowder? No, the gunpowder is landed at one wharf and the dynamite and nitro-glycerine at the other. They are on opposite sides of the Island.
54. If I understand you aright, only merchants' powder is stored in these country magazines? Only storekeepers' powder is stored at Gulgong. In the Newcastle magazine Government powder is stored as well.
55. Do you know anything of any other magazines? No, I do not. I have no control over them. I believe they exist, but I can give you no information about them.
56. Can you give us any idea of the average expenditure of powder in the Western district and in the Southern district? No, sir, I could not arrive at that information; we have no means of obtaining it at our disposal.
57. *Capt. Hixson.*] You have some idea, I suppose, where it goes to; for instance, when the Western Railway was being constructed there was a large expenditure of powder? No, they do not give us any idea where it is going to.
58. *Mr. Moriarty.*] Under what Act is powder landed and removed in this Colony? I believe the 7 William IV No. 7 is one of them, and 16 Vic. No. 47 the other.
59. Are there any codes and regulations laid down by the Government or the officers in charge of the powder as to precautions to be taken in moving it? Oh, yes; we have regular magazine regulations.
60. Do they apply to the removal of powder after it leaves your charge? No, they merely apply to the Island.
61. Then as far as you are aware there are no regulations applying to the treatment of powder after it leaves the Island? No; I know of none that exist.
62. You have been in the habit of dealing with powder for a number of years, have you not? Yes, for the last thirteen years.
63. Do you think the removal of powder and its treatment after it leaves the Government magazine should be subject to some regulations? I think so. I think it should be under some regular supervision, under the head of the department, and then there would be some hold over the people who deal in it.
64. Do you think the supervision by the department should continue after the powder is landed, and when it is conveyed into the interior? Yes, but that would cost a great deal of money.
65. Do you think it would be practicable, considering the variety of packages taken away, large and small, for the department to preserve any efficient control over it after it leaves Sydney? Not unless an officer were sent with it.
66. Are you aware whether there is any efficient control over it after its storage in the interior? Yes; the Act states that no one storehouse shall contain more than 2 cwt. of powder at one time, and it is the duty of the Police to see that the Act is not broken.
67. Do you think dynamite and lithofracteur should be stored in the same magazines, or at what distance from the gunpowder magazine would you suggest that they should be stored? It would be better if they were stored in separate places. In the absence of that we take the furthest distance from the powder magazine we can get.
68. Would you recommend that they should be kept in a separate place, so as to avoid any danger of explosion? Yes. These are kept in separate places.
69. But at sufficient distance to avoid any danger from explosion—so that the explosion of one would not cause the explosion of the other? Yes, I think so.
70. What quantity of dynamite and lithofracteur have you had? I think about 8 tons of lithofracteur and about 2 tons of dynamite is the largest amount we have had at any one time.

71. Have you observed any alteration take place in the material of these explosives from their being stored—any leakage from the cases, or anything of that sort—any exudation of oily substance? No; none whatever. But if the foreman were here he might give you more precise information on that point, as he deals with it every day.

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72. Have you noticed whether the quantity of these explosives is increasing with any rapidity; are they coming into general use? No; I think it is just the reverse. I think they are likely to be discontinued. I know several firms who will not have anything more to do with them. They say there is too much trouble with them.

73. Are they afraid of them? No, they say there is no use for them. They cannot sell them, and they won't have them.

74. On what grounds do they object to them? I do not know. I believe it is all prejudice.

75. *Mr. Barnet.*] Are these regulations at the magazine published and printed? Yes, we have printed regulations. Of course they are only for the magazine.

76. *Mr. Moriarty.*] Beyond those regulations there are none existing that you are aware of, and the only guide is the Act itself as it stands? Nothing beyond the Act.

77. *Chairman.*] Will you state the capacity of the Gulgong and Newcastle magazines, each one separately—the quantity they are able to store at one time? I have never seen the magazine at Gulgong. In the magazine at Newcastle I should think they would be able to store from 15 to 20 tons of powder.

78. *Captain Hixson.*] Do you know if there is any dynamite or lithofracteur in the magazine at Newcastle? There may be a stray case there, but I am not aware of any.

79. Do you remember any being sent there? Yes, lithofracteur and dynamite goes there, but I don't know that it is put into the magazine. I know that fifty cases were sent there the other day. They asked if they might put them in the magazine, and I said certainly not.

80. Then you don't know what became of it? No, it goes to Newcastle for export, and is shipped from there to New Zealand and other ports.

81. Is there not some regulation that powder can only be landed at certain times and in certain places at Sydney? Yes, at Dawes' Battery.

82. And at certain times? Yes, before 10 a.m. That is with the view of getting it through the town by that time. We refuse to deliver powder in town after 9 o'clock.

83. And is there not some restriction as to the vessel or boat in which it is conveyed from the magazine; must there not be a tarpaulin to cover the powder, or some precaution against danger during its transit through the harbour? There should be, and I believe the foreman always sees that they are provided with these things.

84. From what I glean from your reply to Mr. Moriarty's question, you think it advisable that there should be some supervision exercised over the powder after it has been discharged from the magazines, during its transit through populous places, but you do not think such supervision necessary when it is conveyed into the country? No. I think that would answer in town very well.

85. I suppose you consider the town the most dangerous part of the journey? Yes, I do; there is more danger to be apprehended in town.

86. Do you think there is any danger in having the laboratories so close to the magazines as they are at present? The laboratory operations at Goat Island are very trifling; they are chiefly carried on at Spectacle Island, but it would be better if they were further away, if you could arrange it.

87. *Captain Hixson.*] You think then it would be prudent to have the laboratory so far away from the magazine that even if an explosion took place in the laboratory it would not affect the magazine? Yes sir. The regulation distance in the Imperial service I believe is 400 yards between the laboratory and the magazine.

88. Don't you think that would be a proper precaution here? Yes.

89. *Chairman.*] You say that the regulation distance from the magazine is 400 yards? Yes, according to Imperial instructions.

90. *Mr. Barnet.*] That is a laboratory for making cartridges? Yes, for making up cartridges.

91. *Chairman.*] All the laboratories here are considerably within that distance? Yes, they are within a few yards of the magazine.

92. Have any cases of gross negligence or carelessness on the part of the boatmen or lightermen during the transit of powder come under your notice at any time—have you had to check them at all? No sir, they have always attended to the regulations on leaving the Island. I have heard of no complaints.

Mr. Thomas Rogers, foreman at the Goat Island Powder Magazine, called in and examined:—

93. *Chairman.*] You are foreman of the Goat Island Powder Magazine I believe? Yes.

Mr. Thomas Rogers.

94. How long have you held that position? I have been foreman since April, 1871.

95. Did your previous occupation afford you any acquaintance with the management of powder? Yes sir. I belonged to the Royal Artillery, and I was generally at home in the manufacture of powder and work of that kind.

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96. Where you not in a subordinate position on the Island before you became foreman? Yes, for over six years.

97. Have you had experience in magazines before? Yes, in making up cartridges.

98. Will you describe the practice pursued in the receipt and issue of powder at the magazine? When the powder comes to me it is brought up in the lighter, and I take it and give a receipt for the number of packages received.

99. Do you supply the labour to hand it up from the lighter or boat? No, sir, the lighterman hands it up on to the wharf.

100. What height has he to hand it up generally? Well, that varies according to the state of the tide. Sometimes the wharf is level with his head, and at other times he can put a plank across from the lighter to the wharf.

101. Sometimes there is a difficulty in handing it up to the wharf? Yes, it has to be handed from one to the other.

102. Have you known any packages or barrels to fall and get broken in that way? No, I can't say that I have.

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103. You consider that the powder is in your charge directly it is landed on the jetty? Yes sir.
104. What precautions do you take in landing dynamite, nitroglycerine, and explosives of that class? Similar to the powder.
105. You have a separate jetty for those I understand? Yes.
106. At what height from the floor are you in the habit of storing powder in the magazine? Well, it generally goes up to the top bays.
107. What height is the top bay from the floor? Well, the centre racks run four bays high, and the side ones three.
108. How many feet would that be—the centre one four bays high? I suppose it is about 8 feet by 5 feet; I could not say exactly.
109. What I want to know is the height at which the highest case of powder is stored in the magazine? About 20 feet, I think.
110. *Mr. Barnett.*] You have nothing to do with Spectacle Island, I believe? No.
111. There is a separate foreman there? Yes.
112. Do you ever use tackle for lifting the powder out of the vessels or lighters? Yes, sir, we use them for the larger barrels, but we always hand up the smaller ones. We are forced to use tackle for the large ones, and can-hooks.
113. Are there any trucks on the lower wharf? Only one.
114. *Chairman.*] Have you any ammunition stored at Goat Island besides gunpowder? None in the magazine, sir; there are some merchants' cartridges there, but they are kept down in the lower shed—the receiving shed.
115. *Mr. Moriarty.*] There is a great deal of merchants' powder at Goat Island occasionally, I believe? Occasionally.
116. Have you noticed any well marked difference between the way in which the merchants' powder is coopered and the way in which the Government powder is coopered? Oh yes, there is a difference; the Government powder has four copper hoops on each barrel, which the merchants' powder has not.
117. Have you ever had any trouble from the merchants' powder leaking out of the barrels? Yes, we have on different occasions; the barrels have become dry, and leaked.
118. Do you think that was from the imperfect way in which they were coopered? I think it is because the wood was not properly seasoned and shrunk.
119. Then you think it would be a good thing if a regulation were made that the merchants' powder should be coopered in the same way as the Government powder is? Well, it would make them more secure.
120. Do you think that at present the imperfect coopering is a source of danger? No, I can't say that. Any barrels that are leaky when I receive them are fastened up before they go into the magazine.
121. But do you find that any of the barrels are broken and the powder leaking out of them when they arrive at the magazine? Yes, I have seen them broken before they come out of the ship.
122. Don't you think that is a source of great danger? Well, it is.
123. Who has charge of the powder generally before it comes to you? Mr. Bayliss, generally.
124. I mean is it under Government control? Not that I am aware of.
125. Well, considering what you have just said, don't you think it is desirable that the Government should have some control over the powder from the moment it leaves the ship's side, by conveying it in their own barges for instance? I think it would be best to have one person responsible for it.
126. Would you suggest that the Government powder should be separate from the merchants' powder, in a different magazine;—do you think that would ensure safety? I could not say that.
127. You think all reasonable precaution is taken by yourself, in recoopering the barrels, to ensure safety? I think so.
128. After you have delivered the powder do you take any further trouble about it, or do you merely give it to the persons who bring you an order for it, and have no further control over it? Yes, I give it to the parties who bring proper orders for it.
129. Then where is it taken to? It is taken away by the barges and put into the railway trucks at Darling Harbour, and some of it is landed at Daves' Battery.
130. Have the railway people proper trucks for carrying powder? I could not say, but I believe they have.
131. But as far as you are aware there is no Government supervision over the powder after it leaves your magazine? No, not that I know of.
132. It is left entirely to the lightermen or bargemen? Yes.
133. Do you think it judicious that it should be taken away so, without being subject to any Government control? No, what I would suggest is that one person should have the charge of it, and be responsible for it.
134. You mean in taking it from the ship and delivering it to the railway authorities? Yes, and also for consumption in Sydney; that would be much the safest way.
135. You have the dynamite and lithofracteur under your control? Yes.
136. Have you noticed any leakage from the cases or anything of that sort in connection with those explosives? I have not.
137. You have never had any accident with them? Never.
138. Have you ever heard of any accident from the explosion of those substances—from their storage there? No; I have seen accounts of accidents in the papers, but I have never had any.
139. What is the distance between the place where the dynamite is stored and the powder? About 210 yards, I think.
140. What sort of a building is it in? It is a wooden building with a galvanized-iron roof.
141. Has it a wooden floor? No; there is only an earthen floor in the dynamite shed; there is a wooden floor where the lithofracteur is kept.
142. There are a great number of steam-boats passing Goat Island;—have you ever seen any sparks—live sparks—light on the Island? No, sir.
143. Do you experience any inconvenience on the Island from the passing of steam-boats? No.
144. *Mr. Barnett.*] Is there any regulation as to the distance which vessels should keep from the Island in passing it? Steamers, sir?
145. Yes? Boats are not supposed to come within 50 yards, but I would not let steamers go by, if possible, within the prescribed distance.

146. At what hours do you deliver powder at the magazine? At all hours in the day up to 4 o'clock, but that is generally for shipment. I do not deliver any for Sydney after 9 a.m.
147. And for the railway? Well, they generally leave it at the railway up to 12 o'clock.
148. Have you ever had any bush fires on the Island? No.
149. *Chairman.*] You have had instances of dangerous material being packed in the same packages as merchants' powder, I perceive by one of your regulations;—do you always examine the merchants' packages? Yes, packages which are doubtful, and where the contents are not stated outside, are generally opened. Sometimes it has been found that pistols and revolvers have been packed in the same case with cartridges.
150. Gunsmith's material? Yes.
151. In the event of finding packages of that description, what course does the Government take? The cases are opened and the contents separated; the arms are put into a separate case, and the cartridges packed by themselves.
152. At the expense of the importer? Yes.
153. *Captain Hixson.*] Do you remember an accident which occurred from dynamite or nitro-glycerine some time ago? Oh yes, sir, I remember that.
154. Do you know what was the cause of it? No, sir.
155. What is about the average size of the cases of merchants' powder—imported powder? 25 lbs., 48 lbs., and 50 lbs.
156. Which do you consider the safest—the smaller or the larger packages? The smaller packages are more easily shifted.
157. You think it prudent to pack powder in as small packages as are consistent with the carriage of a large quantity, I suppose? Yes, that would be 25 lbs.; the other sizes, 48 lbs. and 50 lbs., are pretty safe.
158. You don't consider them unsafe? No, sir, I do not.
159. What weight are the Government packages? 100 lbs. common powder and 125 lbs. pebble powder.
160. On the whole, do you think the Government powder or the private powder is the safest to deal with? Well, I think the one is as safe as the other.
161. Provided there is no leakage from the packages? Provided there is no leakage.
162. Did you ever have to cooper a Government powder barrel? No, I cannot say we have; not on receiving it.
163. Is the cooping of barrels of private powder a common occurrence, or is it only occasional? Well, I might say it is only occasional. Some shipments are as tight as can be, and other consignments would be just the reverse again.
164. *Mr. Barnet.*] In hoisting up powder from the lower to the upper wharf how many casks would you hoist at a time? Nine and sometimes ten.
165. And how many of the Government Imperial powder casks would you hoist? Well, we could put on five.
166. And you do put on as many as five? Four or five.
167. What is the height, do you know, between the upper wharf and the lower one? I believe it is about 14 or 15 feet—about that. I could not say exactly.
168. But you don't hoist more than one cask at a time with can-hooks in the magazine? No.
169. On the tray you hoist four or five? Yes.
170. Have you ever seen, or do you know of any, instance, in stowing casks in the magazine, of a cask falling from the can-hooks and breaking? No, sir, I never did.

Mr. Thomas
Rogers.
22 June, 1875.

THURSDAY, 1 JULY, 1875.

Present:—

LIEUT.-COL. RICHARDSON,
E. O. MORIARTY, Esq.,

J. BARNET, Esq.,
CAPTAIN HIXSON.

CAPTAIN G. K. MANN IN THE CHAIR.

Mr. William Marshall Jackson called in and examined:—

171. *Chairman.*] You are the representative of the firm of Lassetter and Co., I believe? Yes.
172. That firm, I believe, is in the habit of receiving large quantities of powder and sending it to places in the country? Yes, to all parts of the colony.
173. What are the particular localities to which it is usually sent? Chiefly to the mining localities—the coal and gold mining localities. Newcastle in the first place, and wherever mining operations are carried on in the colony.
174. Will you name those places more particularly? Yes—Newcastle; the districts around Goulburn; the districts around Bathurst, Mudgee, and Adelong, right away to Bourke—in fact to all mining districts.
175. Do you send the powder to these districts yourself, or is it taken from Sydney by the purchasers? We send it through carriers—by the railway as far as it will go, and then by teams.
176. Is it still your property while it is on the way;—until it is delivered are you responsible for it? No, after we have delivered it at the railway it goes on at the purchaser's risk.
177. Can you give the Board an approximate statement of the quantity of powder expended in—say the Goulburn and Bathurst districts? I have not the figures with me, but I could furnish the information from our books, so as to give you a tolerably correct idea of the quantity we send away in the course of a year.
178. The average annual expenditure? Yes; I will send it you. Railway works would add very much to the expenditure. I may mention that one railway contractor alone has had from us within the last three months 60 tons of powder—20 tons a month.
179. In what sized packages do you send this powder? Always in 48lb. packages.
180. You send it in casks, I presume? We send the blasting powder in casks, and the canister powder usually in cases.
181. The casks are the usual casks for merchants' powder—with hoops? Yes; wooden hoops, with copper fastening.

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- Mr. W. M. Jackson. 182. Not copper hoops? No; merely copper tacks on the upper hoop, and that keeps the other hoops in their places.
183. Have you, in your experience, found that these packages are sufficient, or have there been instances in which the powder has been wasted through the breakage of the packages? When the powder comes from first-class makers the packages are always sufficient—such as Hall and Son, Curtis and Harvey, and firms of that kind. Some of the inferior makers send inferior packages. Hall and Son are always good; I have never known them to give way.
184. But there are inferior makers whose powder is sent out? Yes; I have seen their powder. We import Hall's powder chiefly.
185. You import as well as retail it? Oh, yes.
186. Do you import dynamite, nitro-glycerine, and explosives of that kind? Occasionally. We have occasionally dealt in them, but we have found that our customers do not appear to think there is so much benefit derived from the use of these explosives as they imagined at first, and we have not continued to import them.
187. Then the demand for these explosives is not on the increase? No, it is on the decrease.
188. Would it affect the trade much if the powder were packed after some fixed Government regulation; after some particular pattern different to that generally used? Not if you took the standard from some first-class English maker, such as Hall and Son—all packages to be exactly like theirs, which are sufficient to go all round the world, and are admitted into every port.
189. If the standard were taken from the Imperial Government packages, would that affect the trade—would it be an impediment in any way? It would not if a certain time were allowed for clearing off the stock on hand and orders on the water. The magazines should have a certain time to get rid of the packages on hand. There is always a considerable stock of powder on hand and to arrive. There should be a year's notice or something like it.
190. How do you send powder coastwise—by water carriage. I mean what precautions do you take? The casks are shipped loose on board the vessel by which they are going. They have to be shipped below Pinchgut Island, according to particular regulations. They are sent by boat and put on board just as the vessel is going away.
191. Do you send a responsible person from your own establishment to see that this is carefully done? Yes; we employ one man for that purpose exclusively. That may not be the case with every firm; but we employ one man who is accustomed to it.
192. What are the other principal firms who deal in gunpowder and explosives? All the ironmongers deal in powder more or less. There are the American Company, John Keep, Holdsworth, Friend and Sons; they all deal in it. It is an article of importation—most merchants import it occasionally.
193. You can furnish us, I think you said, with a return of the average annual expenditure of powder in each district? I can give you an approximate idea of the quantities. (*Vide Appendix.*)
194. *Lieut.-Col. Richardson.*] Do the other firms which you have mentioned deal in powder in the same large way that you do. Are their transactions equal to yours? Yes, they are of the same nature, more or less; they vary in extent.
195. And about the same in quantity? Perhaps not so much. The magazines' returns will show you the quantity.
196. Do those returns afford any information as to where the powder is sent? No, only to whom it is issued—the house which draws it from the magazine.
197. What we are anxious to ascertain is the average annual or monthly expenditure in these districts? I will furnish you with that in writing in the course of to-morrow—an approximate statement. (*Vide Appendix.*)
198. From your house only? From our own house.
199. *Mr. Barnett.*] What quantity of powder do you keep on your premises in George-street? Never more than 200lbs., the quantity allowed by law.
200. You do not keep dynamite at all? No dynamite at all, or any explosives of that kind—only 200lbs. of powder—nothing beyond that; we have always to be careful about the insurance.
201. *Chairman.*] Would an alteration in the site of the magazine at Goat Island for the storage of powder affect the trade in any way? If it were placed in a less convenient situation for the shipment of powder coastwise it would. Powder has to be put on board the ship at very short notice, sometimes not more than an hour or two, and it has to be taken below Pinchgut, generally when the vessel is under weigh. A less accessible place would incommode the shippers.
202. *Captain Hixson.*] What quantity goes coastwise in proportion to the quantity sent by railway? Well, most of it goes to the interior, as there are no mining localities along the coast, but Newcastle takes nearly as much as all the other places put together.
203. As much is sent to Newcastle for the collieries there and the mining districts inland as goes elsewhere? Almost as much as to all the other places. There is of course a magazine at Newcastle of which we now take advantage. We keep a stock there and find it much more convenient to send it there than to send it in small packages from Sydney.
204. Do you insure all your powder while it is in the custody of the Government in the magazines? No, we do not insure it at all.
205. Do you insure it on its way to the interior? No, only the marine insurance, when it is out of the Colony.
206. You accept the land risk yourself then, but when you send it to sea you insure it? Yes.
207. There is one point upon which I am not quite clear. Do you consider powder delivered to your constituents when you put it on the railway? As soon as we get a receipt from the railway we consider that it ceases to be our property.
208. And you ignore all further responsibility? Yes.
209. So that, in point of fact, if you have any responsibility it exists before you put it on the railway? Yes, whether it is sent by ship or by rail as soon as the receipt is signed our responsibility ceases.
210. Is much powder actually expended in Sydney in retail? The retail ironmongers keep a small quantity in their shops, but I should not imagine they keep more than one keg open.
211. *Mr. Barnett.*] Is not a good deal of powder used for blasting at Pymont? Yes, the retail shopkeepers at Pymont usually come to us for two casks at a time. I don't think any of them keep more than the legal quantity. We get it from the magazines for them and they take it as they want it. 212.

212. *Captain Hixson.*] Well then, if the magazine were removed away from Sydney, but nearer to the railway, it would affect the trade but very little? So that the powder could be brought each day by rail?

213. Yes, so that it could go by rail without coming to Sydney;—would that affect the trade? If the magazines were shifted, and you had a magazine for each railway, it would facilitate the trade. If you had magazines at the different railway termini, because a stock of powder could be kept in each magazine.

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214. But what I want to know is this: Supposing the magazines were situated near the railway, so that all orders for the country could be delivered from the magazine on to the line without coming to Sydney at all, would that affect the trade? That would be convenient for inland powder, but not for powder which has to be shipped; it has to be shipped at all hours of the day and at short notice.

215. Then, in point of fact, you do not care where the magazine is for inland powder, but it must be in a convenient place for shipping? Yes, taking the quantity sent to Newcastle, more than half the powder goes by water.

216. Could you insure the powder at Goat Island now if you thought proper? No.

217. Is that because you think the powder is perfectly safe, and you do not think it worth while to insure it, or because it would be too much expense? We consider it perfectly safe.

218. Could you insure it if you thought proper;—would an Insurance Company take it? We have never made the attempt.

219. You do not know whether you could insure it? No, but we can make the attempt.

220. *Mr. Moriarty.*] You say then that you do not insure the powder at Goat Island;—do you know whether any other firms who deal in powder do so? I do not think any of them do; they may; I cannot say.

221. The powder, you say, is in your charge until delivery is taken by the railway;—now, at whose risk is the powder until it is delivered at the railway? At our own risk.

222. And do you see that proper precautions are taken during its transit to the railway station? Yes, we have responsible people to take it there; we place the casks of powder in bags and sew them up before we place them on the railway.

223. Where is that operation performed? At Darling Harbour.

224. Is it done on the land or on the water? On the land on this side.

225. Then it is taken from Goat Island by a person in your employ, brought to Darling Harbour, and then landed and sewn up in bags to be conveyed to the railway? Yes.

226. What is the object of putting it into bags? In case there might be a slight risk of damage from the teams. It is at the Government risk when it is on the railway, but it is apt to get knocked about by the teams. The men are careless and smoke their pipes, and there is a slight risk in that way.

227. Have you ever known accidents to occur to powder from its being carried in that way? Not to our own powder, but I remember one accident to Government teams, and since then we have always put our powder into bags.

228. Have you ever heard of any other accident besides that one? Never since that one.

229. Do you think the trade in Sydney would approve of the persons who convey the powder by water being under Government control, as a precaution against accidents? I think it would be a great improvement.

230. If properly constructed barges were used, and persons duly licensed and under the control of the Government, or officers of the powder magazines were employed to convey the powder, you think it would be an improvement upon the present system? I think it would be a decided improvement.

231. Now, with reference to the difficulty of sending powder coastwise, don't you think it would be easy to arrange, by giving due notice, that the powder should be delivered from a magazine some miles further out than Goat Island. It is generally pretty well known when a vessel is going to leave, and what powder she is going to take. Don't you think it would be easy to send it in properly constructed barges from a magazine, say 10 miles from town? There would be a difficulty with coasters unless the Government provided some magazines on the coast. At Clarence River, for instance, a magazine is required. Then the frequent shipment of powder would be avoided to a great extent.

232. But is it not known some days before a coaster leaves what powder she will take, and would there not be time to make arrangements to take the powder from a magazine, say 10 miles from Sydney? The vessel must be past Pinchgut—some miles off—before she can take the powder on board. The boat has to follow the ship, and the powder is generally taken while she is under weigh.

233. Do you take the powder from Goat Island at all hours of the day? At any hour for shipment. The vessels often are waiting a day or two for a wind, and then the powder has to be taken down at a short notice.

234. Then you think some inconvenience might be caused in that way with regard to powder sent coastwise, if it could not be shipped an hour or two after the order was received? Yes, the powder would very often have to be taken back again. The freight is a matter of small consequence, and they would not care to lose a wind for it; it is not like a whole cargo.

235. Now, if there were a magazine in some place accessible to the railway, so that the powder could be sent by cart direct to the railway, would not that be an improvement upon present arrangements which limit the delivery to 9 o'clock in the morning? No, it would not be so convenient as the present arrangement, because the barges can take it direct to the railway, at the head of Darling Harbour.

236. Is the powder always delivered at Darling Harbour now, instead of being carted through the town as we have heard it has been? Town powder is delivered at Dawes's Battery, and the railway powder is delivered at Darling Harbour.

237. Invariably? Invariably.

238. There is a regulation to that effect? -Yes.

239. And does that regulation state any limit as to the quantity of powder to be landed at Darling Harbour? Yes; the quantity is restricted to 8 cwt. That is all we can send at one time to the railway.

240. And how much can you land at Dawes's Battery? Well, there is some restriction as to the quantity, but we never want to land much. We only keep 200 lbs. in stock, and we never require more than that quantity.

241. Are you acquainted with the mode of storing powder in the towns in the interior? Yes. It is done in the most loose manner. Every storekeeper stores it the best way he can—on the rafters of his store, or down his cellar—in the most reckless way generally.

- Mr. W. M. Jackson. 242. Do you think it would be a good thing to bring the storage of powder in the towns in the interior under some proper regulations? There is no doubt it would.
243. Do you think there would be any difficulty in having magazines properly constructed which should be under the control of the police or some other authorities? I should imagine there would be no difficulty.
244. Have you ever heard of any accident occurring from the loose way in which powder is stored in the country? Never, of my own knowledge. It is a wonder accidents do not occur from the reckless way in which it is stored.
245. *Lieut.-Col. Richardson.*] What description of boat do the merchants use to bring their powder down from Goat Island? An ordinary boat, covered with tarpaulin.
246. A skiff—not a steam-launch, or anything of that sort? No; a large rowing boat.
247. Is that the case with every firm? I think so. I have never heard of anything different.
248. *Mr. Moriarty.*] What towns would you recommend as places where there should be magazines for storing powder? I think there should be one at each of the several termini. There should be one at the Clarence River, at the Richmond and Manning Rivers, and at Macleay. There is one at the Hunter River.
249. You say that 8 cwt. of powder is sent away at one time? Yes, that is the quantity allowed; that is to say, 8 cwt. is allowed to each person to go by train.
250. Then those persons to whom this powder is sent store it in the loose way you have described? Yes, in a very loose way—just as they like in fact.
251. Then 8 cwt. may be stored by one person in a town in the interior? It is not legal to do so. 200lbs. is the quantity allowed. They store it just as they can; probably they distribute it among themselves, but they get that quantity. The police now and then lay an information against them.
252. *Chairman.*] If magazines were established at the railway termini do you think you would make use of them to any great extent? We certainly should, as far as our own firm is concerned. I will give you an instance: Since the Newcastle magazine has been established we have sent large quantities there. We had a consignment yesterday of 400 casks by the "Alexander Duthie," and we sent 300 casks to Newcastle and 100 to Goat Island.
253. *Capt. Hixson.*] What is about the quantity you consider necessary to keep in your trade? Do you mean on the premises?
254. No, I mean for your trade altogether—for the house of Lassetter & Co.—10 tons? Well, we should not like to be restricted to that quantity; we should not like to be restricted to less than 20 tons; but we keep as little as we can on account of the rent; if it were larger people would keep less.
255. Do you consider the rent a tax upon the trade? I think it is exceedingly reasonable for the work that is done for it. In fact we were better satisfied when we paid double rent, because it prevented the English manufacturers from storing large quantities of powder here to the injury of legitimate business.
256. A higher rent than you think would prevent exporters in England from sending out their stocks to Sydney on speculation? Yes, they send their stocks to lie here waiting for a market, to the injury of legitimate business.
257. Do you know if there is much powder in Sydney now—English powder—coming under that category? I have no doubt there is a good deal lying here waiting for a market. Of course a larger amount of rent would deter the manufacturers from sending it; it would not pay them then.
258. *Mr. Moriarty.*] You say that there is a glut of powder sometimes. Do you think any inconvenience would be likely to arise from putting a stop to the forwarding of this powder to Sydney for purposes of speculation? No, I think not, and raising the rent would put a stop to it.
259. You mean that the importers of powder, knowing the demand for it, would always keep a sufficient stock on hand? Yes, it is frequently overdone now, to a great extent.
260. *Capt. Hixson.*] Do you import all your powder from England? Not all of it.
261. I mean do you import from any country besides England? It all comes from England, but we occasionally buy from the manufacturers' agents here, because we have sometimes an opportunity of doing so at a price which is a loss to them.
262. But all your powder comes from England? Yes.
263. *Mr. Barnett.*] What rent do you pay to the magazines for storing powder? A half-penny a cask, a cask under 50 lbs.; that is the reason they are always 48 lbs.
264. *Mr. Moriarty.*] What was it before the reduction? One penny.
265. When was it lowered? Within the last twelve months.
266. How was it done? By a Treasury order, I believe.
267. *Mr. Barnett.*] Did the merchants ask to have it lowered? It was some of the manufacturers' agents here.
268. *Mr. Moriarty.*] Who are the manufacturers' agents here? Mr. Wolfen, Scott, Henderson, & Co., are agents for powder manufacturers, and Tucker & Co., I think.

TUESDAY, 6 JULY, 1875.

Present:—

E. O. MORIARTY, Esq.,
LIEUT.-COL. RICHARDSON,

J. BARNET, Esq.,
CAPTAIN HIXSON.

CAPTAIN G. K. MANN IN THE CHAIR.

Mr. Henry Williams called in and examined:—

- Mr. H. Williams. 269. *Chairman.*] You represent the firm of Keep & Co., Mr. Williams, I believe? Yes; John Keep, of Barrack-street.
270. You have considerable mercantile transactions in gunpowder and explosives, have you not? Yes; I believe as large as any firm in Sydney.
271. You both import and retail gunpowder, do you not? Yes.
272. What are the principal localities to which you send it? In large quantities we send it chiefly to Queensland and to the contractors on the Southern and Western Railway lines; in small quantities we send it all over the country.
273. All the powder you receive is stored in the magazines here? Yes.

274.

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274. It all has to pass through the magazines? Always through the magazines.
275. What is the practice you usually follow in removing powder for transit up the country? In sending it up the country we have our own men waiting at the Pymont railway terminus, where it is put into bags before it goes into the trucks. Of course we have the regular permit from the Ordnance Office and from the railway; and when we ship the powder we provide a boat for the next morning, and have a man waiting to put it on board the vessel below Pinchgut.
276. In whose charge is the powder during its transit from the magazine to the railway or to the vessel? In charge of the boatman only, and in charge of our own men when it goes by railway; they wait for it at the Pymont terminus with bags to put it in; then they deliver it and get a receipt for it.
277. In what sized packages is it sent? Always in 48-lb. kegs.
278. Packed in the ordinary way in which merchants' powder is packed? Just the same.
279. There are no copper hoops on the kegs, or any precautions of that sort? No.
280. Have you ever had any experience of the inefficiency of these packages? No; we have never had a complaint of them as long as I can recollect, and we have never had a package broken.
281. If such a thing had occurred you would have been likely to hear of it? Yes, certainly; either the boatmen or our own men would have come and let me know, so that the package might have been exchanged at once.
282. Have you any control over these packages during their transit up the country? None whatever.
283. Then injury might occur to them in the country without your being aware of it? Yes; when we have delivered it at the railway and taken a receipt for it we have nothing further to do with it. After that we considered the owner of the powder responsible for it in every respect.
284. Then the packages may be broken and damaged in their transit up the country, and you may hear nothing of it? We should be sure to hear of it, as the party to whom it was sent would probably make a claim against us and try to get something out of us. All our responsibility ceases when we have delivered it at the railway or on board ship. But in case of sending it by railway, we advise the carriers, Wright, Heaton, & Co., or whoever they may be, that we are sending so many packages in order that they may remove them as soon as possible, because according to the regulations they must be packed and sent off within twenty-four hours from their arrival at any station. When we have given this notice to the carriers' agents we consider we have done our duty, and there ends the matter.
285. Do you think powder barrels for merchants' powder, made with copper hoops, would add much to the cost of the powder? Very greatly; and as there would be little or no sale for these hoops in the interior, I know that our customers at least would grumble very much at having to pay for them.
286. But seeing that the hoops would not be expended, they would still be of value? But what would you do with them?—there is no market for old copper in the interior, although there is in Sydney. In Goulburn, Armidale, and other places up country, you could do nothing with these hoops, and the return carriage to Sydney would be almost as much as they were worth.
287. What would be about the cost of putting, say a ton of powder from the magazine on board the vessel? A ton of powder would be about 45 kegs. The boatmen charge 5s. a load. Our own boatmen would try to take it in two loads, but ordinary boatmen would probably take it in three loads, so that it would cost 15s. in one case and 10s. in the other.
288. And it would be about the same cost to send it to the railway? Yes, that is the charge we always pay, whether the powder goes to the railway or on board ship. The boatmen make the same charge for a single keg as they do for a boat-load, because they both take the same time.
289. What is the charge for freight per ton on powder sent coastwise? They won't take it by the ton. The freight to Newcastle would be at the rate of about 2s. per keg; to Grafton as much as 8s.; to Brisbane as much as 4s. to 6s.; and to the northern ports of Queensland, such as Cook's River, from 8s. to 10s., according to the number of vessels laid on for those ports.
290. What would be the cost of transit for the same quantity if sent by land carriage, exclusive of the railway charge? That I cannot tell you; we never pay the land carriage. The freight and boat-hire in Sydney is all we pay, and then it passes out of our hands. The carriage inland is paid by the carriers' agents, and we have nothing to do with it. I do not know what rate is charged.
291. In what description of boats do you send the powder off to vessels for shipment? A small quantity would be sent in an ordinary waterman's boat, but he would have a larger boat for shipping powder in rough weather, or if he had a large load to take. If it were only a question of taking only eight or ten kegs, it would go in an ordinary waterman's boat.
292. Do you think it would be an advantage to the trade if the site of the magazine were in closer proximity to the railway than it is now? It would, as far as regards the powder sent by railway; but it would be a disadvantage in cases where it had to be shipped.
293. What would be the requirements of the trade in selecting the site for a powder magazine? You would have to see that it was not too far down the harbour to make it costly to bring the powder to our stores and to the railway, nor so far up the Parramatta River as to make it too expensive to ship it on board vessels down the harbour, and to increase the difficulty of catching the vessel. The owners of vessels are very indifferent about taking small lots of powder, and sometimes if they can they will avail themselves of any excuse to avoid taking it, although we have arranged with them beforehand to do so.
294. If the removal of the powder from the magazine were conducted under the surveillance of the Government, these objections would not exist? Not if proper arrangements were made. If we could ship powder without any delay there would be no objection whatever.
295. Would the trade be prepared to pay any extra charge that might be necessary for the conveyance of powder by the Government? I should say they would certainly, because the expense would not probably be much greater if it were sent by the Government than by an ordinary boatman. If some arrangement could be made by which, when we have to ship powder by a vessel, we could send the receipts and all necessary documents to the Ordnance Office, and they would attend to the shipment and charge us for doing so, I do not think it would be in any way objectionable. I cannot see that there would be any difficulty in the Government delivering the powder at a proper railway receiving dépôt, if we left the necessary documents at the Ordnance Office on the previous day.
296. I understand you that at present the powder, if sent in a waterman's boat, is merely in charge of the waterman and no other person? No other person until it reaches the railway dépôt.
297. What precautions are taken in sending it by boat? I cannot say; I believe there is simply a tarpaulin thrown

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thrown over it. I look upon the conveyance of the powder from the magazine to the present railway terminus at Pymouth as the most dangerous part of the transit. At no other time is there likely to be so much danger, as at the time it is generally sent all the Balmain and other steamers are passing up and down the harbour; in fact I look upon it as a most dangerous arrangement altogether. For instance, about six weeks or two months ago we sent 150 kegs of powder to one of the railway contractors—it was all sent in the course of one morning; of course it all had to go by railway and to be packed and delivered before 12 o'clock—although we generally get all ours packed and delivered before 9 o'clock, if possible. Well, just at the time that the different boats in which this powder was sent were on their way, most of the steamers were proceeding to town and crossing our boats, which I consider very dangerous.

298. Could you furnish the Board with an approximate return of the powder expended in the various districts which are supplied by your firm? I will endeavour to do so. For what length of time?

299. Say the monthly or annual expenditure—the quantity of powder supplied by your firm. I wish to know whether it would be advisable to establish local magazines, and what size these magazines should be—what their capacity for storing powder should be? I will furnish the information as soon as I can. (*Vide Appendix.*)

300. Do you think the establishment of local magazines would be an advantage to the trade? Not the slightest. There is no inland town that I know of where a sufficient quantity of powder is kept. The large quantities sent up by railway are mostly kept by the contractors on the lines, generally away from the towns.

301. *Lieut.-Col. Richardson.*] You spoke just now of putting these packages of powder into bags? Yes, we have to provide new three-bushel bags—ordinary cornsacks—and into each of these bags two kegs of blasting powder are placed and sewn up securely, and labels are attached to the bags. If the bags are in any way defective they are not received by the railway, and we have to provide new ones.

302. Is that one of the railway regulations or is it an arrangement of your own? No, that is the railway regulation;—that is for blasting powder. They will take canister powder without.

303. What is the object of putting this powder into bags? In case the hoops should move and the head should fall in and the powder escape.

304. In that case the bags would save the powder? Yes, it is done as a precaution.

305. You state that the powder packed in this way is quite secure now in its transit to the interior? Yes.

306. Would these packages stand the wear and tear caused by travelling on a dray over rough roads? In the course of twenty-five years experience I have never known but one accident where the hoops gave way, and that was eight or ten years ago, on the Western line; I never heard of an accident in any other case.

307. *Mr. Barnett.*] How long have bags been used for this purpose? About two years I think.

308. *Mr. Moriarty.*] Were the bags in use at the time of this accident on the Western railway? No sir; I think it was that accident which caused the regulation to be made.

309. Now do you think the ordinary bags are sufficiently close in the grain and properly made to prevent any powder from leaking out? Yes; I think they are sufficient for the purpose for which they are required—for blasting powder I think they are perfectly safe—they would not be suitable for canister powder.

310. In moving the powder in boats you do not adopt any of the precautions used at the magazines, such as laying down wadmilt tilts or leather hides? No.

311. You think then that if the Government were to undertake, by its own officers, the delivery of powder to vessels taking it coastwise, and also to the railway trucks, there would be no objection to remove the Powder Magazine from Goat Island and to place it further up the Parramatta River, or further from the town? No, I don't think there would be. There might be occasionally some little difficulty in shipping the powder, because we cannot always get information as to when the vessel is going to leave as early as we should like, so that we might find some little difficulty in giving sufficient notice to the Ordnance Office, but that would be only occasionally. And a great deal of that difficulty might be obviated by altering the present law, as I will show you. When a vessel takes a large quantity of powder there is no difficulty because the owner has sufficient inducement to make him conform to the regulations of the Ordnance Office, and to meet our wishes, but it would work badly when small quantities, such as two or three kegs, for instance, have to be shipped. There is as much trouble for a vessel to take two or three kegs as to take thirty. The same notice has to be given, and there is not the same inducement to the owner. They very often try to make excuses to avoid taking it, and under the new arrangement you speak of they would frequently slip quietly down the harbour without the powder, and excuse themselves by saying the boat was not there at the required time. That difficulty could be got over by allowing small quantities of powder, say up to four kegs, to be shipped from some wharf appointed by the Government—the present receiving wharf would perhaps be the best place—at any time during the day, in the same way that now they allow it to be sent to the railway. Under the present arrangements, if we shipped a keg of powder from any of the wharfs during the day it would be liable to be seized and we should be liable to be punished, but at the same time we may deliver four kegs to the railway, and I know of no law to prevent our sending the same quantity to Lassetter & Co., or to any one in town, without incurring any penalty. In short, if each of you gentlemen were to order a keg of powder we might deliver it to you during the day, but we must not deliver it at any of the wharfs. Now, to get over this difficulty, I think the Government should allow us to ship up to four kegs from some wharf during the day, and that would provide for the smaller quantities, which the owners of vessels are unwilling to take, while in respect to the larger quantities they would be quite willing to comply with the regulations.

312. You say that you may now deliver four kegs of powder to Lassetter & Co., or any other firm in town, at any time during the day? Yes, or to the railway at any time during the day. The railway will receive four kegs of powder, but any quantity beyond that we are bound to deliver in the regular way at the railway terminus at Pymouth.

313. But up to that quantity you may send powder to any place in town, or to the railway, at any time of the day? Yes, we have done that for years.

314. And you would recommend that privilege to be extended so as to allow of four casks being shipped at the wharfs? No, from one wharf,—say the wharf at Dawes' Battery; it would be for the Board to determine the place—from two to four kegs. That would do away with the difficulty of asking the Ordnance Office to deliver every little trumpery package. Under the present arrangements we don't

care

care to sell these small quantities. If a person wants a couple of kegs we endeavour to decline the order, because we are expected to send it in a boat, and to put it on board the vessel below Pinchgut, and it does not actually pay us.

Mr. H.
Williams.

6 July, 1875.

315. Do you think the trade and the public generally would be satisfied to incur the additional expense which would probably be entailed by the Government taking the shipment into their own hands? I don't think there ought to be any additional expense, because if an ordinary boatman can deliver a load for 5s., the Government ought to be able to do the same, and if the boatman delivers four loads he charges £1.

316. And is the export of powder sufficiently regular to pay for keeping up—say a steam launch and a regular powder boat? Well, I do not know about a steam launch; I hardly think it is.

317. Even if there were some slight additional expense—even if the cost were doubled—do you think it would be felt as a serious tax upon the trade. Supposing the Government were to do all the shipping, and to charge a rate for it which would be about double what is at present paid for it, do you think it would be a serious tax upon the trade? Yes, in some cases, because in blasting powder very frequently the profit is only $\frac{1}{2}$ d. per lb., and certainly, I think I may say, never over 1d.

318. Yes, but then I assume that the additional charge would be added to the price of the powder, and it would be the consumer who would have to pay it? No, we always pay all the expense of putting it on board.

319. But if you were put to more expense in doing it you would charge a little more for the powder—of course you would pay for it in the first instance? No, we make no additional charge; we ship the powder on board the vessel at the same rate that we deliver it at the railway station.

320. Yes, but if the cost of putting it on board ship were increased, would you not charge $\frac{1}{2}$ d. more? If it were considered necessary to the safety of the public to increase the cost of shipment in that way.

321. Do you think it would be a serious tax upon the trade? No, I don't think so.

322. Have you ever formed any opinion as to whether the magazine at Goat Island is too close to the town? I think it is.

323. You think it ought to be removed? Yes, I have thought so for many years.

324. You have come to that conclusion from being acquainted with the risk attending upon powder and from considerable experience in the trade? Yes; and there is one thing I should certainly recommend; that dynamite and lithofracteur should never be kept on Goat Island at all, or in any new depôt in the same place with powder.

325. You do not deal in these explosives yourself, do you? We did; we imported them in the first instance, but there was so much objection made to taking them in vessels—even the boatmen did not like to take them—and from our own experience we did not like to keep them, that we left off importing them. When these explosives first came out I had a few dynamite cartridges, just as a sample, to show people; and I noticed after a short time that without exposure to the sun or to the weather the paper gradually began to get very oily. I kept them to see what further change would take place, and I noticed that the whole of the glycerine seemed to leave the earth and soak into the paper-wrapper. I tore off a piece of the paper-wrapper, about the size of a shilling, put it on an anvil and struck it, and the report was just as if a gun had been let off. Seeing that some chemical change was evidently taking place, and being utterly ignorant of what it might lead to I at once got rid of the whole of the stuff, and declined to have anything further to do with it.

326. Was that long ago? About twelve months, I think. Now if we are bound to get it we simply go out and purchase it and ship it from the magazine; we never have it on our premises at all.

327. From whom do you purchase it? From Alderson and Sons; I believe they are the only holders now.

328. *Chairman.*] Are you of opinion that the use of dynamite, nitro-glycerine, and that description of explosives is on the increase or on the decrease? I think it is on the decrease. At first there was a great demand for them; they were something new and people wanted to try them, but there has been very little demand for them for some time, and that is dying out now.

329. Would there be any means of increasing the size of the magazine at Spectacle Island;—would that be large enough? I am not sufficiently acquainted with the locality to know.

330. Would it be possible to deliver the powder, somewhere up at Iron Cove Bridge, past the chemical works at the back of Balmain, so that it would not go up the harbour at all? If you adopt the plan you have suggested it would be better to take it from there to the railway without having to go up the harbour, because I look upon that as the greatest risk of all.

331. *Mr. Moriarty.*] You think that would be the best place from which to take it to the railway? Yes, I think so, even if it became necessary to lay down a line from the nearest landing point on Spectacle Island to the railway.

332. *Mr. Barnet.*] Do you keep any powder in the magazine at Newcastle? Never; they have lately made such regulations at the Newcastle receiving ship that we have given our travellers instructions to take no orders for powder for the Northern districts at all.

333. Then you do not send any powder to Newcastle? No; we always decline orders if possible. If there are only a couple of kegs, and they reach there after 10 o'clock, we have to get a special permit and employ a special agent to take it out and to put it on the railway. These are special regulations which work so badly that we do not care to have anything to do with them, and we give our travellers instructions to take no orders for the Northern districts.

334. *Capt. Hixson.*] Would you suggest then that some such regulations should be made in respect to the Newcastle magazine as are now in force in the delivery of powder in Sydney? If the person in charge of the receiving ship at Newcastle would undertake to deliver the powder to the railway, and give a receipt upon our paying him, we should be very glad of it.

335. In the event of the magazine being removed to a distance from shipping places in Sydney, and taking into consideration the uncertainty as to the exact time at which vessels leave, do you think there would be any great risk in the powder remaining in the Government delivery boat until the vessel was ready to take it? I don't see that there would be any risk; but these little coasters are very uncertain. They tell you they will positively be off at 10 o'clock at night, and they have not sailed at 9 o'clock the next morning; but that does not signify now, because we hand over the papers to our boatman, who knows where the vessel is and keeps his eye on her, and if she sails at daybreak he takes the powder off and puts it on board.

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6 July, 1875.
336. Then you do not think the magazine should be moved higher up the river to the injury of the shipping trade? Well, there is only one suggestion I can offer: You might have a depôt on Spectacle Island, or a large vessel might be moored there if necessary; and it might answer to give the Ordnance Office say three days notice that certain stocks were required to be brought down to the present magazine, so as only to leave a small stock there. It might work well if you thought proper to keep up the two establishments—some arrangement of that sort might be made.
337. You recommend that the larger or store magazine should be removed some distance from Sydney, and a smaller depôt in some locality to be decided upon nearer town? Either that, or your proposition to have only one depôt—say near Spectacle Island—and deliver the powder by your own boats, for which you would make the necessary charge.
338. Do you think the magazine at Goat Island would be suitable for the purpose—as a depôt? Yes.
339. For the smaller quantity of powder? For the smaller quantity.
340. Mr. Barnet.] What quantity of powder do you think it would answer to keep on Goat Island for mercantile purposes, supposing it to be the depôt? I should think twenty kegs for each house would be sufficient.
341. Capt. Hixson.] How many houses are there who deal in it? There is Lassetter's; our's; Holdsworth; Macintosh; Riley & Cohen; Wolfen; and Scott & Henderson.
342. About 100 kegs altogether then would be sufficient? Well, I suppose 100 kegs would answer the requirements of the trade. If we put in twenty kegs it would be with the intention of taking some of it out again. We always draw powder for storage purposes once a week, and sometimes twice a week.
343. Then you think that about 100 kegs would answer all requirements for powder sent coastwise? I think it would be sufficient for town consumption.
344. Can you give an opinion as to whether the storage of that quantity on Goat Island would even be dangerous? I could not tell you, for I do not know the distance from the magazine to the houses round about, or what would be the force of an explosion.
345. Mr. Moriarty.] Do you think if a regulation were made to the effect that all merchants' powder should be properly hooped with copper hoops, it would be felt to be a hardship in any way? I think it would be a great hardship. The cost of copper hoops for 500 casks of blasting powder would come to a good deal of money.
346. How much do you suppose? Each keg would require four copper hoops in addition to the wooden ones.
347. Only two copper hoops—one at the top and the other at the bottom of the keg—all the rest would be of wood? I suppose each hoop would weigh about 2lbs., and that would come to at least six shillings a keg.
348. Mr. Barnet.] Don't you think that if the regulations for delivering powder from the magazine to the vessels were the same as for delivering it to the railway, there would be no necessity for keeping a stock at Goat Island? I think if the Government undertook to deliver it by their own boats, upon our sending the requisite documents to the Ordnance office the day before, it would answer very well, especially if we were allowed to ship four kegs under the same regulations which apply to sending it to the railway—that is to say, at some particular wharf we might ship that quantity at any time of the day; then I think the other arrangements might very well be carried out.
349. Mr. Moriarty.] What is the ordinary price of powder here? Blasting powder averages 6d. for some brands, and 7d. for others. Sometimes it goes up to 9d., just now it is 8d., being rather scarce; but from 6d. to 7d. may be taken as the average price, according to the brand, all the year round.
350. Chairman.] Do I understand you that two kegs of powder are packed in each bag? Always, when it is sent to the railway.
351. That is the usual practice? It is always the practice in respect to blasting powder; canister powder does not require to be put into bags. At the present time you may say that it is almost impossible to send powder to the Clarence River district. There are not above two vessels in the year which leave Sydney for the Clarence district, and the steamers will not take it. Sometime ago I mentioned the matter to the Collector of Customs and pointed out that the owners of the Clarence River steamboats would be quite willing to take small quantities of powder—parcels containing perhaps 12 lbs., and would provide iron safes to put it in if they were allowed to do so, but he said he had simply to look to the laws as they were and not to make new ones. At present it is almost impossible to get a canister of powder to the Clarence River district at all.
352. Is the expenditure of powder in the Clarence River district considerable? No, it is simply gunpowder required for shooting purposes. The Government have lately required a little for the breakwater they are making up there, but not very much.
353. Mr. Moriarty.] Are not the steamboats allowed to take it under proper regulations? No; but the powder finds its way there somehow or other, so that these stringent regulations induce people to break the law and they act unfairly towards those who are inclined to keep it, as our correspondents write down to us and say that other houses pay more attention to their interests than we do.

TUESDAY, 13 JULY, 1875.

Present:—

LIEUT.-COL. RICHARDSON, | E. O. MORIARTY, Esq.,
J. BARNET, Esq.

CAPTAIN G. K. MANN IN THE CHAIR.

Mr. William Wolfen called in and examined:—

- Mr. W. Wolfen.
13 July, 1875.
354. Chairman.] You are an importer of chemical explosives I believe, Mr. Wolfen, such as dynamite, nitro-glycerine, and explosives of that description;—are you not? No; I am only an importer of gunpowder. Some years ago I had four cases of nitro-glycerine consigned to me, but they were not my property.
355. Then at the present time you have no dynamite, nitro-glycerine, or any explosives of that class? None whatever.

356. In what quantities do you generally receive the powder you import? I have asked my book-keeper to give me the returns for the last four years, and I find that in 1872 our importations were 2,500 kegs of blasting powder and 480 boxes of canister powder; in 1873 we imported 2,400 kegs of blasting powder and ten boxes of canister powder; in 1874, 1,500 kegs of blasting powder, and in 1875, up to the present moment, we have received 3,000 kegs of blasting powder and 240 boxes of canister powder.

Mr. W.
Wolfen.

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357. Can you give the Board any information as to the localities to which that powder was principally sent? I believe it all goes to Goat Island. I have no certain knowledge where it goes to, but I think it all goes there.

358. I asked you the question with a view to ascertain its ultimate destination—the districts in which that quantity of powder is principally expended? We sell it to the contractors and ironmongers, and it passes out of our hands when we execute the order; we have nothing to do with the despatch of the powder, except in a few instances, where persons who live at a distance ask us to pay the Custom House duty and the rent, and fill up the necessary papers, in order to facilitate delivery. Practically, we sell it to the ironmongers, such as Lassetter and Co., Friend and Co., and to the large contractors, such as Watkins, Amos, and others.

359. Then you are unable to give the Board any information as to the localities in which the greatest expenditure takes place? I am unable to do so, but I know that the greater part—in fact nearly the whole—of the powder is sent either to the railway, or, if it is going north, by vessels to Newcastle.

360. In what sized packages does the powder usually arrive? Until recently it used to be sent in 48-lbs. packages, and sometimes in 24-lbs. packages; but lately, in consequence of some alteration in the rate for rent, it has been sent out in 50-lbs. packages.

361. Has any accident ever come under your knowledge caused by the deficiency of these packages? Not that I can remember; sometimes one or two packages appear to be damaged in some way or other, either from carelessness or from some other cause, but the packages sent out by the firm from whom we get our powder chiefly, are in very good order, and every attention is paid to them.

362. When you receive notice of the arrival of powder consigned to you, what steps do you take to remove it to the magazine? None whatever; the shippers provide for that. When a ship arrives with powder, they give notice to the authorities, and then the powder is lightered to the place where it is eventually deposited, which I believe is Goat Island.

363. Have you any knowledge as to how that is done? No; I have no particular knowledge of it.

364. In making sales of powder do you merely dispose of it in the magazine, and leave the purchaser to take it away? Yes, in most cases, except in such instances as I have already mentioned, where people who have no office in Sydney ask us occasionally—very rarely indeed—to deliver the powder and to send it by railway to its destination.

365. When you do remove it, what steps do you take for that purpose? First of all we pay the duty upon it, then we apply for a delivery order and we hand it over to the lighterman who does all that is necessary, and takes it from Goat Island to the Railway Station at Pyrmont, where the Government trucks receive it. The lightermen carry it during its transit from the wharf to the railway trucks.

366. Who are the lightermen you generally employ? We always employ Bayliss; we have employed him about 20 years.

367. Are tarpaulins or any other precautions against accident provided, or is that done by the lightermen? We usually send 3-bushel bags and the packages are put into these bags and sent on in that way.

368. How long have you been in the habit of placing these packages in bags? I could not tell you how long; I do not recollect the time.

369. It used not to be done formerly, I believe? No, I think not; in that part of the business I am entirely in the hands of my book-keeper. I know that of late we have sent it in 3-bushel bags. It has always been very unsatisfactory to me to place this powder in the hands of the lightermen; but that practice has been in existence a long time; we have been prevented from taking it into our own hands. We often of course feel that in landing the powder at the wharf it is impossible to say what they may not do to injure our property, but we have no power to do anything in the matter.

370. You never send anyone with it from your own establishment? No. I may state, while you are discussing this question, that I think it would be very desirable that no powder should be delivered, except under some Government regulations—I think some Government officer should attend to its delivery. That might entail some additional expenditure, but we should always be very glad to pay it for the sake of the increased security which would be afforded.

371. Do I understand you that you think the Government ought to superintend the delivery and transit of the powder? Yes, until it reaches its destination.

372. Would the trade, do you think, be willing to pay the additional cost of that supervision? Yes, I think they would be glad to contribute something towards the safety of the general public. The expense would not be much, and we should be relieved from the uncertainty which now attends the delivery of the powder, and the apprehensions we often feel that some accident may occur.

373. *Mr. Moriarty.* The whole responsibility in connection with the removal of the powder from the Government Magazine to the railway truck is now, you say, Mr. Wolfen, in the hands of the lightermen? Yes, till it reaches the railway trucks.

374. And you consider this to be an injudicious practice? I think so.

375. You think the powder ought to be under some more rigid control than that of ordinary boatmen? I think it ought never to be left unprotected until it reaches the Government truck. An officer should accompany each boat.

376. And you think any extra cost which such supervision would entail would be gladly defrayed by those persons who are engaged in the trade? It would be cheerfully borne, I should say; it would only be a question of a day's wages, or something of that kind.

377. You have no doubt given a good deal of attention to the consideration of this subject—as to the propriety of retaining the magazine at Goat Island? Yes, I have.

378. Now, what is your opinion;—do you think it is too close to Sydney or not? There is no question about it; I think we are in great danger from it.

379. And you give that opinion, having a thorough acquaintance with the mode in which the powder business is conducted? Well, I have no particular knowledge of how it is conducted at Goat Island.

380. I mean with regard to the shipping of merchants' powder generally? Yes.

381. And knowing how the merchants' powder is dealt with, it is your opinion that Goat Island is not a suitable

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suitable place for the storage of gunpowder? Yes. I have been so apprehensive about Goat Island that I have made application, not once but several times, to the Government to allow me to erect a magazine of my own in some convenient place. From the very great apprehension which I have always had for the last twenty years of an explosion at Goat Island, I have always kept that object in view, and during that time we have been the largest importers of gunpowder. But the Government declined to accede to my application.

382. May I inquire, if I am not asking too much, whether you have ever selected a place which you thought would be suitable for a magazine? I have not; but as a preliminary consideration I have always thought some of these exposed heights near Sydney would be the most suitable, for as sound travels upwards the higher the site the better it would be.

383. You have not finally made up your mind on the subject? No.

384. But you are of opinion that it would be a good thing if the Government were to exercise a more rigid control over the powder, not only with regard to its storage but also in its removal from the magazine? Certainly. I think there is more frequently danger in the removal than in the storage, because the risk in delivering it may be frequent; but an explosion at Goat Island could only take place once.

385. And the danger arising out of these small quantities of powder being moved about is sufficient, you think, to warrant the Government in taking the matter into their own hands? Yes, I think so. The expense would bear no proportion to the advantage we should derive from it. The expense would be scarcely appreciable. The cost of a man's wages would be nothing to speak of in a sale of 5 tons of powder; it would not be enough per lb. to enable me to make any extra charge.

386. At any rate you think you would be willing to pay any extra charge which might be found necessary? Yes, I should be perfectly willing to pay it.

387. Of course the powder trade is likely to increase in this country. Have you found it increase rapidly during the last few years? Yes, it has increased.

388. And is likely to increase? Yes, I think so. As railways are constructed, and mining operations carried on, it will increase every year. I have noticed that within the last twelve months it has increased very much.

389. So that, if there exists at the present time any occasion for the removal of the magazine from Goat Island, the necessity will be growing every year? Well, I am not prepared to go quite so far as that, inasmuch as the railways have already been extended beyond the mountains, and I fancy the expenditure of powder further on will not be so great. The chief increase in the expenditure of powder will be, I think, in mining enterprises, when our quartz reefs come to be worked in a more scientific manner.

390. Anyhow, as the growth of the country increases, it is probable that the consumption of powder will increase, and that the necessity of removing the source of danger at Goat Island will grow every year? Certainly.

391. You ship a good deal of powder coastwise, I believe? Very little; that is done chiefly by the iron-mongers and retail dealers; they ship a good deal of powder in small parcels coastwise. We occasionally ship to Newcastle.

392. You sell to them in the first instance? Yes, we give them an order for a certain quantity and they take it as they require it.

393. You are pretty well acquainted with the neighbourhood of Sydney, I presume? Yes.

394. Have you ever considered a suitable place for a magazine? Well, there are two things to be considered—first where the powder goes to principally, and next the necessity of having it under the supervision of a Government officer during its transit from the magazine to the railway truck. I think then it should be delivered at two points on the railway lines, at such places as would be distant from any towns or villages, so that there would be no great danger from an explosion. Then I have sometimes thought that a hulk would be most suitable for storage—a hulk near the entrance of the harbour, which could be removed in the event of danger accruing either from invasion or from any other source. That inasmuch as most of the powder, in fact almost the whole of the powder, goes by a line of railway, it ought to be taken to the extreme points of the railways, from which places it could be conveyed to mining localities, or to Government contractors, or others who might have occasion for it.

395. Have you been for many years connected with the powder trade? For more than twenty years.

396. Some years ago, if I remember rightly, there was a great deal of powder stored in a hulk? Yes, off Goat Island.

397. Did you find any deterioration in the powder take place? None whatever.

398. Then you see no objection to storing powder in a hulk? None at all.

399. I suppose that would be about the cheapest way of storing gunpowder? Yes, I should think so. Goat Island is certainly a very convenient place for storing powder, and so would a place be for me if it were next door to my own premises, but it would be rather uncomfortable if an explosion took place, and I would rather put up with a little inconvenience for the sake of the public safety.

400. *Mr. Barnett.*] Do you import any other explosives—such as dynamite, or nitro-glycerine? No.

401. When you have occasion to send powder to Newcastle do you store it there? No; it passes out of our control altogether. It goes by sailing vessels, I believe; the steamers are not allowed to take it. I believe there is a magazine or depôt of some kind at Newcastle, but we have nothing to do with it.

402. *Colonel Richardson.*] You were speaking just now of the packages in which the powder is sent out;—do you think they are strong enough to stand the careless manipulation to which they are subjected? I think so; they are very carefully made up, especially the packages from Pigou & Wilks, the firm from whom we receive our powder chiefly.

403. Are they strong enough to stand the rough usage they receive on the drays which convey them up the country? I have always found them so.

404. Is there anything in your opinion to justify a recommendation from this Board that the powder should be packed in packages, similar to those in which the Government powder is sent out—with copper hoops? I am scarcely prepared to give an opinion upon that point, because it is almost a scientific question. I know that Pigou & Wilks used copper nails, but the hoops are of wood.

405. The Government packages have two copper hoops besides the wooden ones? Perhaps the Government packages are larger; we used to import powder in large packages of 100 lbs. each, but we found them very unwieldy.

406. Does dynamite require greater delicacy in handling and treatment than gunpowder? Well, from my experience,

experience, and from what I have read and heard from all parts of the world, persons who deal in these explosives have never been able to keep them under proper control. Sometimes a change of temperature affects them, and causes an explosion; sometimes it is the heat; at other times the damp. The cause of these spontaneous combustions has never been clearly and definitely traced. In Germany, in consequence of the disasters which have arisen from these explosives their importation has been prohibited. I hold in my hand a mournful memento of a disaster which occurred to me fifteen years ago, by which I lost more than £5,000. (*Handing paper to Licut.-Col. Richardson.*)

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405. That was from an explosion of nitro-glycerine? Yes.

406. That is just as treacherous as dynamite? Yes.

407. All these explosives are regarded with general mistrust? Yes; they are efficacious in their operation, but very dangerous. I have been in great fear for some years past in consequence of these dangerous explosives, that my property would be destroyed, and I have not been able to get any of the Insurance Companies to insure it. I would willingly pay the value of the whole of these explosives, and sink the money rather than store them in the Goat Island Magazine.

408. Is gun cotton much used in this Colony? I have no knowledge of it. If it had been used to any extent we should have been sure to have had some of it, as we are by far the largest importers of gunpowder. I have consulted with my book-keeper as to what he thinks it would be most desirable to do in connection with the magazine; and he is of opinion that the Government should undertake the duties now performed by the lightermen, and charge the consumers or the merchants for it. In that way the services of the lightermen would be dispensed with altogether, and we should of course be quite willing to pay the Government for doing their work, and it would be much safer. He estimates that by a charge of 2d. for lighterage from the ship to the magazine, and 2d. again from the magazine to the ship, the Government would derive a very considerable revenue from it.

409. *Chairman.*] 2d. per lb.? Per package. And it must be borne in mind that the transit from the ship to the magazine, or *vice versa*, from the magazine to the ship, takes only a short time, and 2d. per package would more than pay for the lighterage. Last week we landed 1,000 packages. The powder would then be under Government control.

410. You mentioned just now, Mr. Wolfen, something relative to the regulations in Germany;—are you aware of any regulations existing in that country for the storage and transit of powder—not Government powder? No. I spoke from hearsay only and from what I have heard and read in the papers of disasters which have frequently occurred.

411. Nor in any part of the Continent? No.

412. Are you aware that in France the transit of powder is entirely in the hands of the Government, and that it is always done by escort? I have not heard of it.

413. Are there any other lightermen besides Bayliss who are employed in this trade? I do not know. We have always employed him, and we have had no occasion to make inquiries for any other.

414. You think 2d. for each package would cover the cost of transit? Yes.

415. What sized packages are they? Generally 50 lbs. I think, if you will allow me to say so, the cannister powder, of which there is always a large quantity imported, might be treated differently; that might remain at Goat Island with tolerable safety.

416. *Mr. Moriarty.*] You mentioned just now that your attention had been drawn to explosions on the Continent;—could you give us the particulars of any of those explosions? I could not. I only know of them from what I have read and heard of disasters arising from these explosive substances under different names. Pigou and Wilks, of London, told me that they were all the same substance but differently named. I have read of immense explosions in San Francisco, where a vast amount of property was destroyed, and I frequently hear of the danger arising from these explosives; sometimes it arises from a hot cellar—at other times from a damp cellar; no one seems to have discovered the real cause.

417. Have you had any dealings yourself with any other explosives besides nitro-glycerine? I have had no dealings of any kind with them, except in the case of the unfortunate occurrence which I have mentioned to you. A Swede, who was nephew of the man who invented nitro-glycerine, obtained the address of my agents in London, and asked to be allowed to send these four cases to them for despatch to Sydney. They were sent out consequently to my address here, pending their delivery to this Swede, and were stored on my premises without my having the slightest knowledge of the fact, and it was not until the explosion took place that I discovered it.

418. *Chairman.*] Are there any more suggestions which you would like to make? No; except that I would urge upon the Government to take some steps to relieve us from the anxiety we have been suffering for the last twenty years.

419. You mean with regard to the removal of the powder? Yes; I should be very glad to pay any extra expense which might be incurred. I would call your attention to the great danger which exists in removing the powder from Goat Island to the railway truck.

420. *Mr. Moriarty.*] You consider the removal dangerous under present arrangements? I think the danger is more frequent in moving the powder from the magazine without proper supervision. Bayliss is a very careful man, but he cannot always be looking after his men, and they may sit down to rest and have a smoke while they are taking the powder to the railway truck. Bayliss is, however, a very careful and trustworthy man.

FRIDAY, 16 JULY, 1875.

Present:—

LIEUT.-COL. RICHARDSON, | J. BARNET, Esq.,
E. O. MORIARTY, Esq.

CAPT. G. K. MANN IN THE CHAIR.

Mr. Wm. Bayliss called in and examined:—

421. *Chairman.*] You are a stevedore and lighterman employed in this port I believe? I am.

422. How long have you been engaged in that occupation? Upwards of thirty years.

423. During that time have you conveyed much powder about the harbour? Most of the powder that arrives in the harbour goes through my hands to the magazine, and comes back again through my hands, either for shipping or to the railway. For 100 barrels anyone else takes I take 2,000.

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424. There are other persons employed in the same occupation, are there not? Yes, as lightermen; but very few in the powder trade; they get a job now and then to convey powder.

425. Have you any particular class of boat or lighter which you use for the conveyance of powder? No particular boat; that is to say, the lighters are strong and substantial, but not different from the usual hull of a vessel.

426. These boats are used for other purposes as well? They are sir.

427. Where do you mostly convey the powder to? From the ship to Goat Island, and sometimes to Spectacle Island; and sometimes from the ship with a Collector's order for transhipment to Newcastle or other places, but not without a Customs entry handed to me; and from the magazine to Darling Harbour to the Railway Station; or from the magazine to Dawes' Point, which is the only place where I can land powder at stipulated hours.

428. The transhipment to Darling Harbour and Dawes' Point takes place at specified hours? Yes sir, at Dawes' Point—every morning from sunrise to 10 o'clock is the hour laid down, but we are never later than 7 or 8 o'clock, on account of conveying the powder through the town, though the harbour regulations give us till 10 o'clock.

429. And you can take it to the other places up to 10 o'clock? Yes; the railway take it away at 12 o'clock.

430. What is the general size of the cargoes you have to convey on these occasions? Where to sir?

431. To the railway in the first instance—what is the usual quantity? Sometimes as much as 500 barrels. There are two days only in the week in which we are allowed to take powder to the railway—Mondays and Wednesdays. Some days I take 500 barrels—some days only eighty or ninety—some days perhaps none at all.

432. The cargoes you put on board vessels for shipment—are they generally larger or smaller than the others? No; much about the same. Sometimes I may have 150 barrels to ship. I consider that a very heavy shipment. In a small vessel, perhaps, going to Newcastle, I might have perhaps half that quantity and that might be going to three or four different merchants.

433. Of course you cannot always be present yourself on these occasions, and the powder has to be entrusted to your men to a great extent? Yes, or I am there myself, or one of my sons.

434. Have they had much experience in this business? Yes; I keep them looking after it.

435. How long have they been engaged in this occupation? I should say for six or seven years altogether. Sometimes the shipment is so small that they take it themselves—perhaps only two or three packages.

436. When you have the powder on board your lighters what precautions do you take to prevent accidents? When I take it from the ship to go to the magazine do you mean?

437. At any time when it is on board your lighters? Well, it is covered up with tarpaulins.

438. Does it ever remain in your lighters during the night? I have had it so.

439. Was any person in charge of it during that time? No, sir.

440. Where was the lighter then? Off the magazine, where I laid a buoy down myself to moor her to, but it is sunk now.

441. Have you ever had occasion, when you have taken powder in your lighter from the ship's side, or from the magazine, to observe anything defective in the barrels or packages? In taking it from the ship's side I have.

442. Have you observed that frequently? Yes, sir.

443. But from the magazine it is delivered in good order? Yes.

444. What precautions do you take when you see these defective packages? Why on one occasion I had somewhere about thirty casks lying in the bottom of the hold with not above 1lb. of powder in the lot of them.

445. The powder, I suppose, had leaked out of the packages? Yes, and the ship was loaded with railway iron. I never saw such a thing in my life.

446. How is the information conveyed to you that your services are required to remove powder from a vessel to the magazine? I get notice from the agents of the ship, and sometimes from the captain.

447. In the removal of powder from one magazine to another—from Goat Island to Spectacle Island for instance—that would be principally Government powder? The Government generally do that themselves.

448. But you have done it? Yes, I have done such a thing.

449. *Lieut.-Col. Richardson.*] You say that many of the packages are defective; that they are delivered from the ship in a defective state, but when you receive them from the magazine they are all right? I mean that the contents are deficient sometimes when I receive them from the ship, but they are always in good order from the magazine. They are in very bad condition sometimes when I receive them from the ship. If you will allow me I will explain what I mean: In some of the ships the powder is put into new casks, of which the wood is not seasoned. It is stowed under the hatchway, and the heat of the hold dries up the top tier, so that the cask shrinks and the powder runs out; at the same time some of the casks underneath in the same lot would be perfectly tight.

450. Now, in the case of these packages, where the powder had run out, what became of the powder? Well, I took away all the powder that was good, barring a pound of powder that was loose in one of the kegs, which I threw overboard. I cautioned the mate and the agents, and I then got buckets of salt water over the place where the powder had been stowed, and then went to Potts' Wharf to the hulk and discharged there. They told me there was nothing else in the ship but railway wheels and iron.

451. Then you drowned the powder? Yes, on that occasion. That was the only case where I have had so many packages in bad condition, though I have had others.

452. Do you think it would be an advantage if the merchants' powder were secured in the same way as the Government powder, with copper hoops? No, sir; I do not think so. I don't see any fault in it—one seems to be exactly like the other. From what I have seen the Government packages are just as bad as the merchants' powder, taking them right through.

453. You have seen no actual breakage of the packages then—only a shrinking of the casks? No, only on the one occasion I have mentioned.

454. In your conveyance of the powder from the magazine to the vessel or to town do you employ a steamer? No.

455. Your barges are all sailing vessels? Yes. I will tell you what I have done: I have had a vessel with perhaps 300 tons of powder at once, and there was no way to get up to the magazine except through a number of steamers going backwards and forwards, and I have had my vessel towed through the Needles because there was frequently such a pressure of tide that it was impossible to sail her through; but there was an order issued to prevent that from being done in future.

456. Who gave the order? I believe it was Captain Hixson; it was Mr. Paton's doing.

457. And you have discontinued that practice? Yes; I have not done so since.

458. What precautions do you take in conveying powder through the town? I don't take it through the town. I only take it to Dawes' Point, where the draymen come and take away small packages for firms in town, such as Lassetter & Co., and others.

459. Do the draymen take any precautions to prevent accidents in carting the powder? Yes, they put each keg into a bag.

460. Have you had any experience in dynamite and nitro-glycerine? Yes. I don't think there has been a single package that has not come through my hands.

461. Have you observed anything extraordinary in the packages—any leakage or anything of that kind? No; only when I have taken it to the magazine they would not receive it.

462. *Mr. Barnet.*] Do you lighter Government powder? Yes, chiefly. They make the ships pay for it, but I do it. I am employed by the agent. The agent will perhaps give me instructions to be on the look out for a vessel that is expected to arrive with powder, and to take the powder to the magazine; because, according to the Act, it is only allowed to remain a certain time in the ship.

463. They hoist a flag I believe? Yes; the Union Jack is hoisted at the masthead.

464. You said just now that you have left powder in your barges moored to a buoy off the magazine? Yes.

465. Was that Government powder or merchants' powder? Merchants' powder. That was the very night the explosion took place in Bridge-street. I had two lighters lying there loaded with powder—off Goat Island.

466. What quantity of powder was there? I suppose there would be about 800 or 900 casks altogether.

467. And it was left there without anyone on board? It was in charge of the sentry; it was much better to keep people away from it. That was why I laid down the buoy.

468. What was the name of the vessel which had the loose powder on board to which you referred? I don't recollect the name; it is a long time ago. It was a matter that was not talked about much at the time.

469. Were the packages which you say were leaking made perfect before you took them away to the magazine? When I went to the ship and found the casks had shrunk, and the powder was leaking, I got the carpenter to take a mallet—I would not allow him to use a driver—and a piece of hardwood, and drive the hoops down, and perhaps put in a copper tack here and there before I took the powder to the magazine.

470. I think you said that the Government packages were quite as defective as the others? I was asked whether I thought the merchants' powder should be packed the same as the Government powder, and I said the one package was quite as good as the other.

471. In the case you mentioned you say the powder was lost in consequence of the timber of which the casks were made having shrunk? Yes, it was green wood, and the heat of the hold had dried it up.

472. There was no lining of any kind inside the cask? No.

473. Would it be an objection if the magazine were removed further up the harbour, as far as the lightering is concerned? It would be a great objection.

474. Would it interfere with the trade in the shipping of powder—say to Newcastle or to any other port? It would sir; that is my belief. The powder could not be got at at the hours laid down by the Government if the magazine were further off.

475. But the vessels lying below Pinchgut take it at all hours, do they not; they are not confined to a particular hour as you are when you take it to the railway station? No, but then we are limited in the time we have to do it in. The magazine closes at 4 o'clock, and we have to get there by 1 or 2 o'clock to get it down in time.

476. Supposing a vessel is lying windbound—? Yes, I have seen them for days together down at Malcolm's Folly, or towards Double Bay—that is where they generally lie—sometimes by Shark Island, or at the back of Garden Island.

477. Has she the powder on board then? Yes.

478. *Mr. Moriarty.*] You think there would be some inconvenience to the trade in having the magazine shifted from Goat Island further up the river? I do sir.

479. And you think that difficulty would arise in getting the powder on board outward-bound vessels? No, chiefly in delivering it to the railway and at Dawes' Point.

480. Why? Because it can only be delivered there within certain hours.

481. But supposing you started an hour later? Then you could not get it from the magazine.

482. Supposing the hour were altered to 6 o'clock? It would be all I could do to get it off if I went at 6 o'clock.

483. But supposing you had a proper covered barge and a steam launch? Of course that would make a difference, but it would be very inconvenient.

484. But don't you think, considering the danger there is in having such a large quantity of powder near the city, that it would be worth while to put up with some little inconvenience rather than keep it there? Well, I can't see that there is any danger. I have been lightering powder ever since the Government gave it up, and I have never seen anything but the greatest care used in connection with it.

485. Still, with the greatest care, an accident may occur? Well, I think I should stand the worst chance of an accident in bringing it to the magazine; it would be more exposed with me than it would be when it was there.

486. Your opinion is that the greatest danger is during the transit of the powder? I don't see the least danger sir; I have never seen any accident of any kind; depend upon it men are more cautious about powder than they are about other things. Nobody will make me believe that an accident will happen unless there is some one to blame. I don't mean to say that if the packages are not nailed up they should not be seen to, but I have had some very heavy shipments of powder, and I never had an accident.

487. I understood you to say that on some occasions you have left your barges with powder on board moored opposite the magazine? Yes.

- Mr. W. Bayliss.
16 July, 1875.
488. Did the persons in charge of the magazine take distinct charge of the powder on those occasions? No, they never took charge of it.
489. Then who was in charge of it? I was. The sentry would prevent any one from going on board.
490. Then he was in charge? I don't know how that would be if it came to a point of law. I put the buoy down myself, so that the lighter should swing round to the wind.
491. Do you think the persons on board the magazine would say they were not in charge on such occasions? Well, I think they would.
492. Then, in point of fact, no one was in charge of the powder? There was nobody sleeping on board the lighter. The powder was all covered up.
493. Still there was nobody in charge of it? There was nobody sleeping on board the boat.
494. Was it any part of the sentry's instructions to prevent anyone from going on board? Yes; the authorities in the magazine knew the powder was there, and of course they would tell the sentry to keep his eye upon it.
495. Yes, but the powder was not given into their charge, and they were not asked to be responsible for it. Would they admit, if the question were put to them, that they were responsible? No, I don't think they would, because once before, when I lightered some 300 or 400 tons of powder for the Government from the Heads, and took it to the Island, I lent them one of my punts to make a floating stage. I believe they called it "Bayliss's landing-place." I moored it with two anchors, and two lines from it to the quay, in order to get nearer to the magazine with the powder instead of having to carry it round. Well, the first load they received from me which was some ball cartridges they put into the punt; but it came on to blow; they did not let go the shore line, and the punt sank with a lot of powder in it, and they wanted to make out that they were not responsible for it.
496. They considered that they were not responsible, and you were? Yes; that was the opinion I formed. They took the powder from me and put it into the punt; I did not put it in; it was there in good time, but they had not the people to put it in.
497. You do not think that putting copper hoops on the kegs would be any extra guarantee of safety? I don't, sir.
498. And you think the only danger arises from the shrinking of the staves of the casks? That is the only way I have seen any loose powder escape. I have seen Government casks with copper hoops and wooden hoops as well, and the copper hoops have come off as well as the others. That was caused I consider by the heat of the ship's hold making the green timber shrink and dry up.
499. Then, from your experience, you do not think any extra precautions with regard to the packages could be adopted to render the powder safer during its transit? No, I don't think so. I cannot see how you could make them any better; they seem to be very carefully made up. The only difference is that the wood in some of them is not sufficiently dry. In some cases they are so tight that they swell the hoops, especially in what we call salted ships, where everything in the hold is kept damp, but in these new ships, especially when the wood is at all green, it dries up very much. But they are making great improvements now in having large ventilators in the ships.
500. Do you think there is much difference in iron ships? Iron ships are generally drier and better ventilated than the wooden ships.
501. *Chairman.*] When you let your lighters lay moored off the magazine with powder on board did you report the circumstance to the magazine authorities before you went away? Yes, I did sir; and it was the foreman who refused to take the powder because he said he had orders from Mr. Paton not to do so.
502. They refused to take charge of them? Yes.
503. And the powder was for delivery? Yes sir.
504. Did I understand you to say that powder when it was intended to be removed from the magazine was left on board your barges during the night? Yes, on one occasion, when the ship did not go down the harbour as she expected. In such cases I have always made a practice of running back and mooring the lighter off the magazine.
505. On those occasions do you go back and report to the authorities that you have moored your boat with the powder there? Yes, I go and tell them that the ship has not come down, and of course I have come back.
506. And they are fully informed that your lighter is lying off the magazine? Yes.
507. When you took that cargo from the ship that was so much injured, do you remember the brand of the powder—what maker it was from? No, I could not tell you the brand—there are so many brands. Sometimes I don't even know who it is consigned to, for the agent gives me an order to receive all powder on board or in the ship's stores.
508. Have you ever observed whether the packages from some makers are superior to those of other manufacturers? No, I cannot say I have observed it.
509. You have not paid sufficient attention to them? Yes, but I could not tell you; they all seem as if they came from one maker, so far as the exterior goes; the powder itself is very different.
510. *Mr. Moriarty.*] Have you described to the Board the kind of barges or boats you use for the conveyance of powder? Yes.
511. What kind of boats are they? The proper sailing lighters.
512. Have they any iron about them? Yes.
513. Iron rowlocks and so on? Well of course they have copper fastenings, but they have iron bolts about them, the same as other vessels.
514. What precautions do you take for the safety of the powder on board these lighters? We cover it with tarpaulins before we ever leave the ship, and it is not uncovered until the people at the magazine come and receive it.
515. Do you think any other precautions could be taken to insure the safety of the powder during its transit? I don't think so. I offered Captain Hixson to hatch a vessel for it, and he wanted to put a lightning conductor on it.
516. With regard to your barges being moored off the Island, what precautions were taken on such occasions to prevent accidents—were any additional precautions adopted besides covering the powder with tarpaulins. Of course when a boat is moored off the magazine some greater precaution should be used than if it were at a distance from it? We put the tarpaulins plainly over the powder when we are sailing; but when we moor the boat we put the boom amidships with the sail over it, and put the tarpaulin over that so as to form a tent.
517. And are the ends of this tent secured? Yes, there is a sort of apron at the end which falls down and covers the opening at one end; the other end is open, but the boat is moored so that she always swings with her head to the wind.

518. You do not apprehend any danger arising from sparks from passing steamers? No, we have always a flag flying, and we keep as much as possible out of the way of the steamers. The only danger I see is from the North Shore steamers. There are always boats running backwards and forwards from Lavender Bay and Potts' Point, and up and down the harbour at that point, and it is difficult to go by without getting among them. Of course we keep out of their way as much as we can; but I have often thought it would be a great advantage if we were allowed to take a steamer to tow our boats up. There would be far less danger, as we should be a much shorter time in the trip, and if there was a long tow-line, so that no one could cross our boat, and we had our flag flying, it would be a great deal safer.

519. *Mr. Barnet.*] Does not the same difficulty occur in Darling Harbour with the Balmain boats? No, the powder is taken at a time when the boats are not running so fast.

520. *Chairman.*] Have you any further suggestions to make to the Board which would tend to a more efficient and a safer way of conveying powder to and from the magazine? I have a suggestion which I will throw out to the Board. I have spoken about it to several persons who are interested in the matter—that Spectacle Island is no place to take powder to under present arrangements. You can't get there except at a certain time of the tide with a lighter—there is no water. I have laid there for a couple of days with Government powder. I consider that if the Government intend to keep powder on that Island they should run the jetty out further; and what is badly wanted again on Goat Island for the safety of the powder is the extension of that shed out to the end of the jetty; and if the wharf were extended so as to lap over sufficiently to allow lighters to go underneath, for which there would be plenty of room, and a trap-door were made in the wharf, the powder might be taken in without anyone getting a sight of a package, except those who were in charge of it, from the time the cover was taken off.

521. *Mr. Barnet.*] Would not the wharf at Spectacle Island be better on the upper side of the Island? Well, I have no objection to the present place, but there is not water enough.

522. How much water do you want? We want at least 7 or 8 feet of water. Now, with a boat drawing 6 or 7 feet of water, you cannot go in except at high tide, and by the time you have got your powder out the tide has gone out. I mentioned this at the time they were making the wharf, but they said it was deep enough. Of course it was for the ships in those days, but we are getting bigger ones now.

523. *Chairman.*] Have you had your lighters, with powder on board, moored off Goat Island since the removal of the military sentry? Yes.

524. Have you on such occasions reported the fact to the authorities at the magazine? Yes; I have always reported to the foreman or to some one on the Island that I was leaving my barge with powder moored off the Island.

525. Is your barge ever moored elsewhere when you have powder on board? Yes; it sometimes occurs that I am not able to reach the magazine with powder from vessels on account of adverse winds and bad weather, and then I am obliged to anchor the boat down below; but if I had a steamer or tug I could always manage to store my powder with much less danger.

526. You do not think there would be so much danger with a steam-tug? No, I don't think there would be any danger.

527. Is there any regulation which requires that a flag or danger-signal shall be hoisted by vessels having powder on board? There is for ships, but not for lighters—but I usually fly the Union Jack.

528. Do you think it is desirable that some danger-signal should be hoisted? Certainly, I think it is very desirable; I think some special flag should be hoisted both by vessels bringing and shipping powder, and also by lighters when removing it.

529. Is any danger-signal or special flag employed when powder is taken to the railway? None whatever. I merely put the powder in bags; that is the only precaution.

530. Is there any difference in the arrangements at the Powder Magazine at Goat Island, as at present carried out, and the arrangements which were carried out when the military had charge of it? Yes; when I took powder from the shipping while the military were in charge I had to report to the sentry and he reported to the foreman of the magazine that I was there with powder. He then gave orders to me to come alongside, hoisting a red flag on the Island. He made my men stand on the fore-castle and his men came and discharged the powder properly clothed with slippers and flannels; and when I came too late in the evening to get all the powder stored he ordered me alongside of the floating magazine, giving my boat in charge of the man on board the hulk and the sentry on the magazine. That shows that when the military had charge of the magazine every possible precaution was taken.

THURSDAY, 22 JULY, 1875.

Present:—

CAPTAIN HIXSON,
E. O. MORIARTY, Esq.,

J. BARNET, Esq.,
LIEUT.-COL. RICHARDSON.

CAPTAIN G. K. MANN IN THE CHAIR.

Mr. William M. Alderson called in and examined:—

531. *Chairman.*] You are a member of the firm of Alderson and Sons, I believe? Yes.

532. And you are importers of chemical explosives, such as dynamite, nitro-glycerine, and substances of that description, are you not? No; but when I was in England, having been asked by persons connected with the mining industry of this Colony, I made inquiries about these explosives, and I found that litho-fracteur was the best explosive of the kind, and I was requested by a gentleman with whom I was connected in England to become the agent for it here, which I have been. Litho-fracteur is an improvement upon dynamite.

533. Has any great quantity of litho-fracteur been used in this Colony? Oh yes, a good deal. I must tell you that we are not agents for it now. It is quite out of our way. I merely undertook the agency in order to introduce it into the Country for mining purposes. We have given it up because we do not profess to be commission agents.

534. But are you aware that explosives of that description are in general use in any particular locality? Well, it is used, because we have inquiries for it every day; there is not much of it to be had at present.

You

Mr.
W. Bayliss.
16 July, 1875.

Mr. W. M.
Alderson.
22 July, 1875.

Mr. W. M.
Alderson.

22 July, 1875.

You see there is one great drawback in being connected with this explosive: people are generally very ignorant on the subject. For instance, we can get no ship to take it without a very great deal of trouble; they imagine it is going to blow the ship up at once; that is one reason why we gave it up. I thought you would be inquiring into this subject, and I have brought some pamphlets which I will leave with you (*handing papers to Chairman*); they will give you all the information you require; they are from the manufacturers, and they go fully into the subject.

535. Have you any large stock of lithofracteur on hand at the present moment? I do not think we have any; if we have it is on the Island in the magazine.

536. Who are the principal merchants who deal in these explosives? As far as I know they are very few known at present. Lassetter & Co. may have some, but I think they have generally bought it from us. From what I understand of lithofracteur it is not dangerous until it is brought into contact with detonators. I recollect the first time I went to see it; a gentleman from London cut off a little piece, and set it on an iron shovel and lit it, and it burned until it was all gone; but it rather alarmed me at the time through my ignorance.

537. Are you importers of the ordinary gunpowder? No, we never had anything to do with gunpowder.

538. We wish to obtain some information as to the general use of these explosives in the Colony;—do you think the use of dynamite and that class of explosives is on the increase? I know nothing about dynamite, but I think lithofracteur is used, and I think it will be used more generally when people lose their fear of it.

539. *Mr. Barnet.*] You stated that you had given up the agency for lithofracteur; who has it now? I don't think anyone has the agency now? The principal agents for the Colonies are Jones, Scott, & Co., in Melbourne; in fact, one of the partners of that firm is in London, and they do the most of the business in lithofracteur.

540. Have they an agent in Sydney? We were the Sydney agents; we used to work with them. For instance, we have had a shipment for them brought into the Sydney harbour, and have had to forward it to Melbourne. It is greatly used in Victoria.

541. When that shipment came here did you send it to the magazine? We have always to send it to the magazine as soon as it comes into the harbour; it must be sent there for safety. I believe that is the case with all explosives.

542. *Captain Hixson.*] Have you heard of any accidents, Mr. Alderson, either here or in Melbourne, in connection with lithofracteur? I think I have read something about an accident, but I am not sure. There have been very few accidents, and, from what I have heard, they have been caused entirely by carelessness.

543. Can you remember any special case? No, I cannot remember; if my son were here he might be able to tell you more about it.

544. The introduction of this material into the Colony was accidental then, arising out of the fact of your being in England? No; I was requested while I was here, by gentlemen connected with the mining industry, to make inquiries about this explosive.

545. Then you were set in motion in the first instance by persons in the Colony? Yes.

546. Was the importation of lithofracteur due to the inquiries made for it on this side, or to the desire on the part of exporters to make a business for it in the Colony? To inquiries for it by persons connected with mining interests in the Colony. Of course the manufacturers wanted to do business if they could, but people in this Colony wished to have it. They are using it now up at Hill End when they can get it, and in Victoria it is used pretty generally; it is better known there than it is here. But it has been used here; in fact, if I am not mistaken, we supplied the Government with some; I think it was to blow up some rocks at Port Stephens.

547. *Chairman.*] Then a considerable demand for it may arise at any time? I think there can be no doubt the demand will increase as people come to know it better; especially for gold and other mining operations it is such a powerful explosive.

548. You do not consider it so dangerous; as ordinary gunpowder? I would not say that. I don't think myself it is so dangerous; but it is like any other explosive—it has to be used with caution.

549. *Lieut.-Col. Richardson.*] Is any particular manipulation necessary with this lithofracteur as regards storing and handling—for instance, would a heavy fall explode it? That I cannot say for certain; I have heard that it would, but I do not know it. I have also read in the papers that extreme heat will explode it.

550. You cannot tell of your own knowledge what precautions should be used. You are, in fact, blindly trusting a good deal to chance? No; the pamphlets I have given you contain full instructions as to its treatment under different circumstances; the manufacturers take every care to prevent accidents.

551. Do you think it is safe to store it in the same way as gunpowder? If I recollect right, we had to go to the expense of putting up a separate building for it on the Island, in order to keep it away from the powder—that was done while I was in England—so I suppose there must be some danger in storing it with powder.

552. What is the largest quantity you have had in store on the Island? I really could not say without referring to my books; we have had large quantities of it.

553. Can you give any idea—did it go into tons, for instance? Yes; it comes out in cases not in casks like powder; a very little of it goes a long way. The reason why I think it will come into more general use is that it is cheaper a great deal than gunpowder, and takes less room in transit, while it is much more powerful.

554. Have you any idea what has been the average annual expenditure of lithofracteur since you have been agent for it? I could not tell you without referring to my books, but I shall be happy to supply the information. (*Vide Appendix.*)

555. *Mr. Moriarty.*] Are you aware, Mr. Alderson, whether any specific regulations are enforced in England with regard to lithofracteur? I do not know.

556. Are there any regulations in reference to its being received on board ships for exportation? Oh yes, I am sure there are, for we had great difficulty in getting ships to take it.

557. Can you inform us what the arrangements are before it is taken on board ship? No, I could not explain them. I think they depend a great deal upon the view the captain takes of it? Some captains are more frightened about it than others. I believe the freight is much higher—in fact a special rate.

558. Have you ever known it to indicate any change in its condition or appearance either in transit or while stored here? No, not in my experience.
559. You have not noticed that any separation of its constituent parts has seemed to take place? No, I have not. I believe the reason that it is safer than dynamite is that some earth or clay is mixed with it, which acts as a check against explosion by concussion.
560. Would you say, from your general acquaintance with the subject, and also from your interest as a citizen that it would be a judicious thing to remove the magazines further from the city than they are at present—both powder and dynamite? I am sure I do not know; I cannot see why they should be removed. If the magazines are properly constructed and due care is taken, I do not see why there should be any danger. One thing is clear: the further you remove the magazines from the market the dearer everything connected with them will be. It would also have a tendency to check trade and commerce in those particular commodities.
561. Do you think any slight increase in the cost of moving them would be felt as a drawback to the trade? Well, it might not be the expense which would be felt so much as the trouble and inconvenience. You see, sometimes you get an order for these articles, and they must be sent away in vessels very quickly; and you are not allowed to keep them in your warehouses in town. Therefore it is much better to have the magazines as near as possible, taking safety as well as convenience into consideration.
562. I suppose you have occasionally to send away this lithofracteur at a very short notice? Yes, sometimes the captain of a vessel makes up his mind all at once to take it and we have to send it off immediately. We had an order for fifty cases to go to New Zealand for months on our books, and it was with the greatest difficulty that we could get it away; at last the captain of one vessel took it.
563. Did you send it in a steamer or sailing vessel? A sailing vessel; no steamer would take it; there are special regulations, I believe, with regard to steamers.
564. *Chairman.*] How long is it since you sent those fifty cases away? About a month or six weeks.
565. Where were they stored? In the magazine. When we had sent them away I think we had just ten cases left, and I think they are gone now, because I heard a person asking for some the other day in the office, and I believe there was none left.
566. What quantity of lithofracteur would there be in those fifty cases? I cannot tell you without referring to my books what one of these cases contains; they are only small cases. Each case is about £8 or £10 money value. (*Vide Appendix.*)
567. And you have no further quantity in stock at the present time? I don't think we have; if so it must be very trifling, and it will be in the magazine; but I don't think there is any left.
568. You stated that your son would be able to give better evidence on this subject than you can? Well, I think I have given you pretty nearly all the information he could give, and I will supply the figures you asked for.
569. *Captain Hixson.*] Do you happen to know what those fifty cases which you sent to New Zealand were used for? I think they were wanted for mining purposes, but I am not quite sure, or else for making railway tunnels.
570. You think there will be an increased importation of this commodity? I think there will be an increased demand, and that will lead to an increased importation. I know that Lassetter and Co. and other firms in Sydney have orders for it.
571. But you intend to give it up? Yes; it is not in our line. When I was in England I became agent for Burleigh's rock drill, and we gave that up. I merely took the agency in order to introduce it into the country. We are manufacturers, and we have not time to look after these things.
572. *Chairman.*] You sent those fifty cases of lithofracteur to Newcastle? Yes, and from Newcastle to New Zealand.
573. Were they taken into the magazine there before they were shipped to New Zealand? That I cannot tell; in fact I am not certain whether the vessel did not take it on board here, and had to go to Newcastle afterwards. But I know that every precaution is taken to get it into the magazine, because we are liable to penalties if we do not attend to that.
574. *Lieut.-Col. Richardson.*] This lithofracteur explodes with a detonating cap, does it not? Yes.
575. Do you know whether dynamite and lithofracteur are stored in the same magazine? I could not give you an answer to that question. There is no danger of the detonators doing any injury until they are placed in the lithofracteur and set fire to by means of a fuse. There is one great advantage in lithofracteur: you can fire it off under water, and it will remain there for some considerable time without being damaged. You will see in one of those books that in blasting some rocks on one occasion it was five or six days under water, and it was uninjured, and blew up the rocks when it was set fire to.
576. You do not know whether this lithofracteur is kept in the same magazine as the powder? I think not; it strikes me we had to put up a separate building—a wooden or galvanized iron building—for it on the Island.

TUESDAY, 27 JULY, 1875.

Present:—

LIEUT.-COL. RICHARDSON,
CAPTAIN HIXSON,

J. BARNET, Esq.,
E. O. MORIARTY, Esq.

CAPTAIN G. K. MANN IN THE CHAIR.

John Alger, Esq., called in and examined:—

577. *Chairman.*] It is understood by the Board, Mr. Alger, that you have taken an active part in the inquiry which was instituted by the Chamber of Commerce in reference to the storage of explosives. We shall be very glad if you will favour us with any information you may have obtained during that inquiry? I should like to place before the Board the report from the Chamber of Commerce on this subject. It was very carefully drawn up by Mr. James Powell, who moved for the Committee, although the matter was originated by me. (*Handing in paper. Vide Appendix.*) I may mention, that some two years ago, being very much struck with the fact that the powder magazine was within 2,000 yards of Government House

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House and the Banks, which would certainly be levelled in case of an explosion, I wrote to the papers on the subject, and many persons having spoken to me about it, I called the attention of the Chamber of Commerce to the question. With the permission of the Board, I will read a few notes which I have made (*reads*): "I recommend to this Commission a careful perusal of the accompanying paper on modern blasting agents, which was read less than two months since by Mr. Alfred Nobel, the founder of the nitro-glycerine industry, before the Society of Arts, London, of which institution I may mention I had at one time the honor to be Treasurer. (*Vide Appendix.*) I think no one can read that important paper without believing that all nitro-glycerine compounds, whether lithofracteur or dynamite, as well as gun-cotton (as being all liable to spontaneous combustion), should be stored far away from gunpowder, and certainly not upon Goat Island, within 2,000 yards of our chief buildings. So lately as December last, before a Special Committee on gun-cotton, Colonel Younghusband, of the Royal Artillery, Superintendent of the Royal Gunpowder Factory at Waltham Abbey, stated that he had thoroughly examined the qualities of gun-cotton, lithofracteur, and dynamite, with regard to the manufacture, storage, and use of these several explosives. He says, "Gun-cotton, as it can be stored wet, may be warehoused without risk, and contrasts favourably with the other explosives, which, though tolerably safe to store and transport, *when fresh*, are not so secure from danger under all circumstances." I see we have on Goat Island 146 tons gunpowder, 4 tons 3 cwt. of lithofracteur, and over 8 cwt. of gun-cotton.

578. What is the date of the return from which you are quoting? It is a return furnished to Parliament at the end of last week—the very last return; it appeared in Saturday's paper. I was very much struck with it because I think our chief danger lies in the storage of these various explosives in the same place. The Explosive Committee recently appointed by the War Office, after being engaged in an investigation at the Royal Arsenal, Woolwich, as to the storage of gunpowder and other dangerous compounds, have recommended that a large quantity of gun-cotton, at present kept in the marshes adjoining the Royal Arsenal, should be removed to a floating magazine some distance from any occupied houses. The danger from lightning is considerable; therefore all lightning conductors should be periodically examined by a competent officer—they are often a great source of danger. On the 22nd December last the magazine of Scutari, in Albania, was struck by lightning; the city walls were blown down and 200 people killed and wounded.

579. May I ask if you know the quantity of powder that was stored there? No, I could not get at the amount. Boats for the removal of explosives should be painted red (like the lightship), and should always, when employed, carry a conspicuous distinguishing flag. I think they should never be towed by a steam-vessel, as I hear is often the case at Dawes' Point. All explosives for the railway, if from the magazines or from shipboard, should be taken by water, to the head of Darling Harbour, and thus save the appalling risk of being carted up George-street through the heart of the city. I have seen gunpowder running from a cask (one of a dray load) at the corner of King and George Streets. I rather think the Board has been furnished with the report of the House of Commons' Select Committee on explosives of 1874, which I obtained from England. It will be seen by that report that a quantity beyond 200 lbs. of powder cannot under any circumstances be kept within 2 miles of any place of residence of the Queen, nor within half a mile of any parish church. A short time since I saw the arrival in Sydney of a small schooner from Melbourne. Her sole cargo was—500 kegs blasting-powder, 40 cases gun-cotton, and 12 cases lithofracteur. Probably this assortment went together in one lighter to Goat Island. I state it as my deliberate opinion that the magazines at Goat Island might, from no fault whatever of those in charge, spontaneously explode at any time. What would then be the fate of Sydney and its western suburbs? I truly believe, in the words of a clever writer, that we are every instant of our lives exposed to the risk of a catastrophe which only an earthquake could equal.

580. Is there anything you would like to add to that statement, Mr. Alger? I do not think of anything further; but I should be glad to answer any questions you like to put to me to the best of my ability.

581. You are apparently decidedly of opinion that Goat Island is too close to the city for the site of a magazine? Altogether too close; and certainly you should never store anything on the Island but gunpowder. We know pretty well what the qualities of gunpowder are, although I believe it has been recently shown that copper is not altogether a much greater safeguard against accidents than iron, and that powder has even exploded from forcible contact with copper.

582. If the magazine were removed from Goat Island to a distance—say 5 or 6 miles from its present site—do you think that would interfere with the export of powder, in a mercantile point of view? It would slightly of course; but I have often thought if you had one or two hulks of a light draught of water, on account of the flats, for the storage of powder moored, say at Middle Harbour, vessels might take their powder on board lower down the harbour than they do at present, and they would be able to get at it more easily. According to the regulations, no vessels arriving with gunpowder on board are to proceed higher up the harbour than Neutral Bay until the gunpowder is landed, and vessels taking powder on board are not to do so higher up than Neutral Bay under a penalty of £10 in each case, whilst large quantities pass up and down in lighters with impunity.

583. Are you aware that a large portion of the powder imported into the Colony is sent inland? I am aware of it.

584. Of course that is a difficulty; you would probably have to send that up Darling Harbour? I do not know how you could get to the railway without, unless you sent it to Parramatta, to the head of navigation. But it appears to me that powder must unfortunately always pass near Sydney if it has to go inland.

585. You mentioned Middle Harbour as a place where floating hulks might be moored? Yes.

586. Would that not be inconvenient for powder going inland? Yes; but I fancy the most important question to consider is the safety of Sydney, and I cannot shut my eyes to the fact that at any moment these compounds of nitro-glycerine may go off, and I think you will incline to the same opinion, when you have perused that paper by Mr. Nobel; and as that gentleman is himself the inventor of one of the explosives there can be no doubt about the honesty of his opinions.

587. Did any other site besides Middle Harbour strike you as being a suitable place for a floating magazine? The upper part of Lane Cove might answer. It is I know very easy to find fault, but it is not so easy to point out the remedy. I think the first consideration with any Government should be the safety of Sydney.

588. If it were decided to remove the magazine to the Parramatta River where do you think would be the best site? I should think about Duck Creek would be a suitable place. The properties there are not very valuable; the population is sparse. Near Mr. Blaxland's boiling-down establishment, of course no one would approve of a powder magazine being brought near their property; residents in the neighbourhood would object; that will have to be considered by the Board wherever the magazine is placed.

589. That would be at no distance from the railway? No; that was my object in mentioning it.
590. In that case the powder need not go into the city at all, and it could still be sent to the railway? Yes; but the worst of it is, it would have to pass within a few hundred yards of the city in any case, and I have heard that powder is carried about the harbour in the most careless way. Mr. Ives, who is Mayor of one of the Suburban Municipalities, has told me that he has seen it quite uncovered, and men sitting alongside of it, smoking; of course you will easily obtain evidence on that point.
591. *Lieut.-Col. Richardson.*] Can you give us any information—the result of your own experience—in reference to the force of these explosives—nitro-glycerine and dynamite? Well, I have heard a great deal about them, but even at Home there does not seem to be much certainty about the force of dynamite. You will see some comparative figures in that paper; there does not seem to be any certainty about it.
592. With regard to this report;—was it based upon evidence taken by a Committee of the Chamber of Commerce? Yes, a sub-committee of the Chamber of Commerce.
593. Can you give us any idea of the evidence itself;—who was examined? I gave evidence myself. Mr. Ives also gave evidence, and several others. I will furnish the names.
594. Can you furnish a copy of the proceedings? They were very roughly taken down; you shall have everything there was.
595. The report then was drawn up on the evidence taken by the sub-committee? Yes; I think Captain Mann himself was good enough to give us some very valuable evidence.
596. *Captain Hixson.*] In the event of a magazine being established some distance up the Parramatta River, from which all the powder intended to go inland could be sent by railway, do you think any inconvenience would be experienced as regards the powder to be exported coastwise in consequence of the distance of the magazine from the seat of trade—from the metropolis? No doubt some inconvenience would arise. When powder is imported the importer frequently does not know in what direction it will have to go. Sometimes it will be sold to go by railway; at other times for transhipment (say) to Queensland. I myself am interested in the purchase of a great deal of powder to go to the Peak Downs Copper Mines; that goes by sea; but the importer does not know where it will go, and no doubt there would be some inconvenience in that respect and some trifling additional expense.
597. Would you recommend the establishment of a principal magazine at some distance from the metropolis, and a smaller depôt where the present magazine is at Goat Island, or at Spectacle Island, for immediate export purposes? You never can tell where the powder is going to. You see the powder is the property of private individuals, who sell a little to-day for one purpose, and perhaps a larger quantity to-morrow for a different purpose. It has occurred to me that the best plan would be to keep it in a floating magazine down the harbour. In case of war, of course, the hulks in which it was stored could be brought up the river. I have been reminded it would never do to let the enemy get hold of it. The boats would simply have to go 5 or 6 miles further than they do now—that is all; and in case of vessels going to sea they would be nearer the magazine than they are at present.
598. Do you happen to know whether there is any reluctance on the part of captains of trading vessels to take small quantities of powder? Do exporters experience any difficulty in sending powder away in consequence of the trading vessels declining to take it? Oh yes, there is that difficulty.
599. Then the more inconvenience there is attached to the shipping of powder the greater will be the difficulty on the part of exporters to get vessels to take it? I don't think the difficulty would be with the exporters, because they would be able to get the powder as easily from the hulks below as from the magazine above. Vessels might take powder on board at Bradley's Head for instance, or at the Sow and Figs; they would have no trouble about it; the trouble would be with the trade in Sydney requiring powder. My opinion, however, is, I repeat, that the safety of the city should be the first consideration in dealing with this question with the trades and with everybody else.
600. And in what do you consider now the chief risk lies—in the storage of the powder at Goat Island, or in the transit to and fro? In the transit to and from the Island. The main danger in gunpowder lying at Goat Island is from lightning, and anyone knows that lightning conductors are faulty. I had the pleasure of knowing Sir Wm. Snow Harris, the chief inventor of lightning conductors, and I have often heard him say that too much reliance must not be placed upon them. We know that since their invention men-of-war have enjoyed almost perfect immunity from danger by lightning, but still they are sometimes struck.
601. *Mr. Moriarty.*] You have just stated that, in your opinion, the principal source of danger is in the transit to and from the vessel? Yes.
602. Do you think it would contribute to the safety of transport if the Government were to take the whole matter into their own hands, had properly constructed barges, and employed their own men—if they took the whole control of the powder, not only while stored in the magazine, but also the receiving and shipping as well? I am afraid that would not help the matter.
603. I mean if they had barges properly constructed for the purpose? That would materially add to the safety of it, no doubt.
604. So that the causes of danger to which you have referred—such as the powder being uncovered and men smoking near it, and sparks from steamers exploding it—would be avoided? That would undoubtedly be a great safeguard. By-the-by I notice it is stated in the regulations that all boats for the conveyance of powder are to be provided with tarpaulins, and must be properly housed over. Now surely that is not done at present.
605. That is not the case at present? So far as I know it certainly is not. My storekeeper tells me he constantly sees powder going down the harbour perfectly uncovered, and Mr. Ives tells me the same thing.
606. You would advise that some more stringent measures should be taken with regard to the removal of powder in boats? Certainly; but I would especially impress upon the Board the desirability of having gun-cotton and the preparations of nitro-glycerine kept a long distance apart from the powder, in case they explode spontaneously.
607. Do you not think there would be some difficulty in obtaining the powder from hulks moored in Middle Harbour, seeing that the powder would frequently have to be shipped in rough water, near the Heads. Do you think there would be greater inconvenience in having it there than there would be if it were stored in a hulk on the Parramatta River? The Parramatta River would be the more convenient, but at Neutral Bay sometimes they cannot discharge powder when the weather is bad. With large boats properly

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properly housed over there would be no difficulty I think with such weather as we get here, except perhaps once or twice in the course of the year, when the sea breaks right across, and if we had weather of that kind no vessels would be going to sea even if they had powder on board.

608. Do you think there would be any more inconvenience in having a hulk on the Parramatta River than there would be in having it at Middle Harbour? The inconvenience would be less, but the danger would be greater.

609. But if the powder were under Government control and conveyed in properly constructed barges, do you think there would be more danger? I am speaking of the danger in storage, not in transit.

610. In the hulk itself? Yes.

611. But if it were 5 or 6 miles up the river do you think there would be more danger? I should be afraid of it. Our experience of the danger does not happily allow us to be very good judges of it. Of course a hulk in Middle Harbour would be almost as near to us, geographically, as it would be 5 or 6 miles up the Parramatta River. The only difference would be she would be in a basin which she would not be on the Parramatta River, where there is not high land on both sides, for though there is high land on Ball's Head there is not on the other side.

612. But you would have the advantage of proximity to the railway? You would, certainly.

613. All things considered, would you be inclined to risk Parramatta River as the site for a floating magazine? I would be inclined to risk it; but, as a matter of safety, I would prefer Middle Harbour. There is one thing to be said: in Middle Harbour you would require a very shallow hulk, and you would have deeper water on the Parramatta River.

614. Then the bush fires at Middle Harbour are much more serious than at the Parramatta River, and they are a great source of danger. About the Parramatta River the properties of gentlemen residing there are partially cleared and better looked after than you could expect to find them at Middle Harbour? There is not much large timber there now. I can recollect when we had some very large bush fires on the Parramatta River.

615. But not so large nor so frequent as at Middle Harbour? No; of course the hulk would be properly covered and protected.

616. *Chairman.*] You advocate the use of a hulk I see, Mr. Alger. Have you considered that formerly it was a very general practice to store gunpowder in hulks, and that the practice was discontinued, and magazines were substituted on account of their being considered safer? I was not aware that they were considered more safe; of course there is one objection to a hulk—it may take to leaking and go down. I have had some experience of that myself; I fancy that is the chief objection to a hulk—it gets old, and some time or other may sink. There is also pumping in connection with it, which is always a trouble.

617. But in two instances, I think, in this Colony, the powder was damaged when stored in a hulk, before the Goat Island Magazine was established? Yes, I remember it well.

618. And when the original building was too small, a hulk was moored off Goat Island, and that was discontinued, and an additional building was put up. Was not that the case? That was the case.

619. I presume that was done with the idea of increased safety? I think in the first place they bought a very old hulk, which became leaky, and there was a great deal of pumping, which is always a difficulty. But now we shall perhaps be wiser and retrace our steps, as they are doing at Home. There, as I have said, they are putting their gun-cotton in a hulk, and taking it from the marshes and away from the neighbourhood of houses. There certainly is that difficulty with hulks—they do wear out; we saw that in the case of the "Harmony."

620. *Mr. Moriarty.*] Would not the powder be more liable to damp if stored in a hulk than it would in a magazine? I think it would; but I would rather you should obtain the opinion of some one more expert on the subject than I am.

621. *Mr. Barnett.*] Supposing the powder were kept in hulks moored in Middle Harbour, how would you propose to bring it to Sydney? By boats of the class described by Mr. Moriarty.

622. By sailing boats? Well, I would rather do that than have a steamer in front of them.

623. Is there much danger from a sailing vessel when she has to beat up the harbour from steamers crossing her? That is done now; Mr. Bayliss does it.

624. He tells us there is great danger from the steamboats crossing the bows of his vessel. Do you think there would be any objection to these boats being towed by steamers? I have always fancied there was danger from the steamers throwing sparks behind them.

625. But the steamer would have a long tow rope. You see the great objection to having the powder so far away would be the difficulty in getting it up the harbour? If the boats were properly housed there would be no danger in that. I apprehend that the boats which convey the powder to and fro should be as safe as the building in which it is stored.

626. There is one great danger in the hulks, that the men in charge of them must live on board and have fires to cook their food? Still there is no greater danger on board a hulk containing powder in that respect than there is on board the vessel which brings it out.

627. The Chamber of Commerce appointed a sub-committee to inquire into this matter I think you said;—were you the chairman of that committee? No; Mr. James Powell, of the Customs, moved for it, and he was chairman. I took an active part in it. The question of towing the powder boats is one which members of this Board could answer much better than I could.

628. *Mr. Moriarty.*] There are arrangements made now I believe to prevent sparks from steamers flying about. It has been found that sparks from locomotive engines on railway lines have set fire to corn fields and done considerable damage, and steps have been adopted to prevent it I believe? Yes, and the crops are still ignited I am sorry to say.

629. *Mr. Barnett.*] Have you ever known of a magazine for the storage of gunpowder only exploding;—do you remember such a thing taking place anywhere? During the last year at least two magazines have exploded in England. I tried to-day to put my hand on my notes of the places where these explosions occurred, but I could not find them. I will however send the information to you. Certainly two magazines exploded during the last year.

630. Were not they laboratories for the manufacture of powder only? No, they were magazines. Of course where the manufacture of powder is carried on, explosions take place occasionally, but in these cases they were magazines. I will try and send you the names of the places. I pledge you my word that two magazines exploded in England during the last year. I read an account of the explosions in the *Times* myself. In the paper I have handed in I have given you an account of one at Scutari, where the walls were blown down and 200 persons killed or injured.

631. Do you recollect an English man-of-war blowing up otherwise than in action? No, I cannot say I remember that. On board a man-of-war of course they have the means of flooding the magazine at once, which I believe is the first thing done in case of fire. John Alger,
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632. *Chairman.*] Are you aware whether the importation of these chemical explosives, such as nitro-glycerine and dynamite, is on the increase or on the decrease? On the increase without a doubt.
633. And larger importations may be expected than are received at present? Certainly. The force of these explosives is so great that they are becoming in great demand; they would be more used in the mines if it were not on account of their smell. It is frequently a long time before the men can get back to their work after using them, and they experience great pains in their heads. You will find some very valuable hints in that paper of Mr. Nobell's; it will only be two months to-morrow since it was delivered in London.
634. *Lieut.-Col. Richardson.*] What was the date of this report from the committee of the Chamber of Commerce? I am not quite sure, but I think it was in February last. The first meeting at which the subject was mentioned was held on the 13th October, 1874.

TUESDAY, 3 AUGUST, 1875.

Present:—

E. O. MORIARTY, Esq., | J. BARNET, Esq.,
LIEUT.-COL. RICHARDSON.
CAPTAIN G. K. MANN IN THE CHAIR.

Mr. John Lang called in and examined:—

635. *Chairman.*] You are captain of the steam dredge "Samson," I believe? Yes. Mr. J. Lang.
3 Aug., 1875.
636. In the course of your duties do you use any chemical explosives, such as dynamite, gun-cotton, and explosives of that kind? I used dynamite at one time, when we were blowing up the wreck of the barque "Robert Sayers," in Darling Harbour.
637. Was it any peculiar description of dynamite that you used? It was Noble's.
638. How was it procured—from whom did you obtain it? From Reilly and Cohen.
639. How did you keep it stored? It was rolled up in small packets, about three quarters of an inch diameter, and about 3 to 4 inches long. It was done up in paper cases, and packed in boxes.
640. Did you observe any exudation from it? I put it in twice; the first time I put it in the blast failed and would not go off. I should tell you that previous to this I had taken it out of these cases and put it into a package altogether, covered with canvas and tar. The first time it failed in going off through a fault in the wire. I drew it out afterwards, and during the night there was an oil drained away from it. I preserved some of it in a small bottle, which I believe I brought to the office and showed to Mr. Moriarty.
641. The cartridge had then been broken up? Yes, the cartridges were all broken up and put together, or else we would have had to ignite each cartridge. I use 20lbs. in each package. I made inquiries afterwards, and I believe it was nitro-glycerine which was the principal explosive substance, and when we used it next day the blast was also a failure.
642. Have you ever used it since? No, I have never used it since. I made a memo. at the time in the log book, which is in the office, I believe.
643. That is all your experience, I suppose, of this explosive? Yes, sir, that's all.
644. *Mr. Moriarty.*] Can you describe the oily substance which exuded from the cartridge? It was thin, of an oily nature, and amber colour.
645. Was there much of it given off from the cartridge? There was a great deal. There was none came away until after it had been in the water and was taken out again.
646. When you say you had broken up the cartridges, you mean that you had subdivided them and put them all together again, so as to make one good large charge? Yes, so as to make them ignite together.
647. But each cartridge was not broken up in any way or disturbed? Yes, the papers were taken off them, and the dynamite all mashed together like one cartridge.
648. *Chairman.*] That is the only description of explosive that you have used? I used gunpowder for the same purpose after this failed—two torpedos that were made some time back.

Mr. Donald Vernon called in and examined:—

649. *Chairman.*] You are the traffic manager on the Great Southern Railway, are you not? Yes, on the Southern and Western Railway. Mr.
D. Vernon.
3 Aug., 1875.
650. The Board are desirous of obtaining information relative to the transit of powder by railway. You generally receive it from Darling Harbour, do you not? Yes, in quantities over 2 cwt. we do.
651. What description of trucks have you for that purpose? Covered vans, sir, with leaden floors, and the sides are lined with iron.
652. Do these vans remain at any time at the station after they are loaded with powder? Not at the Redfern terminus.
653. Are there not regulations applying to persons sending powder by railway, which provide that the powder shall be removed immediately upon arrival at its destination? It is one of the conditions upon which we receive it that they remove it within reasonable time, but not in any specified time.
654. What do you conceive to be a reasonable time? That depends very much upon circumstances. At these terminal stations carriers are not always to be procured, the roads are not always passable, and we take all these circumstances into consideration; but, as a rule, we do not have it in hand for any length of time.
655. But can you name any time it would be likely to be on hand—a maximum or minimum period? It is very difficult to do that—perhaps from three days to a fortnight. We may sometimes have it on hand as long as a fortnight.

- Mr. D. Vernon. 656. In what position are the trucks left loaded with powder during that fortnight? We isolate them as much as possible from our good's sheds and the other trucks loaded with merchandize.
657. Still they are left on one of the sidings? They are left on one of the sidings.
- 3 Aug., 1875. 658. Is there any special guard placed over them? No. The ordinary watchman is in the yard during the day and night.
659. Do you consider that is sufficiently safe, or have you had any misgivings about it? Well, considering we always have powder on hand, I should certainly prefer something like a magazine at such terminal stations, as the western terminus for instance.
660. At particular stations you think there might be magazines? Yes.
661. What stations would you suggest as the most appropriate for that purpose? At the terminal stations to which the powder is chiefly consigned. Goulburn, Raglan, Wallerawang, are the principal stations.
662. But it does not follow as a matter of course that the powder is taken to the terminal stations? No, certainly not.
663. It might be left midway on the line—I mean at some station midway on the line? Oh yes, it may be consigned to any station; but it would be in very small quantities to other stations than those I have mentioned.
664. The larger proportion goes to the terminal stations? Yes.
665. Have you any idea in which direction the largest quantity of powder goes—westward or southward? To the west I should say. Of course we have a large quantity going to the south, in consequence of the extensions, but I still think, speaking roughly, that the greater consignment goes to the west.
666. That is merely caused by the extension of the railway works and that demand will probably cease to the south? Well, the extensions create the principal demand for powder; if there were no extensions going on the quantity used would be diminished very considerably.
667. Have you any other descriptions of explosives, such as dynamite, nitro-glycerine, and gun-cotton, travelling along the line of railway? No. The only other explosive worth mentioning—for I don't think we carry any dynamite—besides gunpowder, is a little lithofracteur.
668. Is that taken under the same precautions as ordinary gunpowder? Yes.
669. When these covered vans are on the sidings the ordinary trains are constantly passing them as usual? We isolate them as much as possible, and therefore, though they may be passed occasionally by the trains, you cannot say they are passed constantly.
670. But every train that travels along the line must pass them? Yes, at a certain distance.
671. They are only on the sidings? That is all. Of course they must be passed by trains going out and coming in to a station.
672. You don't remove them into a goods-shed or any shed? No. The vans are always kept on the sidings.
673. *Mr. Barnett.*] What trains do you send powder by? By goods trains invariably.
674. In what part of the train is the powder placed? We don't aim to put it in any particular place.
675. Do you put it near the engine, or at a distance from it? We have no rule about it.
676. Is dynamite carried in the same place as powder? No; dynamite is carried on the line, as far as I can recollect.
677. Is lithofracteur put into the same waggon as powder and carried at the same time? Yes; we do not make any difference; it is all packed in separate cases and separate packages.
678. You said it would be necessary to have a powder magazine at either terminus? I said I should prefer it; I did not say it was necessary. It would certainly afford greater security, especially in the case of lightning.
679. Would you have it constructed so that the truck could go right into it? Not necessarily.
680. You would take the powder out and store it in the magazine? Yes, we might do so.
681. *Lieut.-Col. Richardson.*] In what shape is the powder received at the Railway Station? In kegs and in cases for canister powder at the Railway Station; always in kegs at the Darling Harbour terminus.
682. But it is also packed in bags? Yes, it is always in bags.
683. At what hour do you receive it? At Darling Harbour Wharf from 6 to 12 on Mondays and Wednesdays.
684. And supposing it is consigned—we will say to Raglan—where does the powder remain in the interim, until the train starts? It would remain at the wharf until such time as it is taken to the Redfern yard, and would remain there until the goods train left.
685. I suppose the yard is exposed so far as locomotives running backwards and forwards? Yes.
686. You say these vans are lined with iron? The sides are.
687. Don't you consider that dangerous in case of a collision? Well, in case of a collision there might be a small amount of danger attending it.
688. Are the vans completely closed in so as not to be exposed to any danger of sparks from the engine getting in? I don't think there is any danger; occasionally we convey it in covered vans—"C" vans as we call them—and in such cases we always put a tarpaulin on the floor, to prevent the possibility of any sparks getting through the interstices in the planking of the floor.
689. But that is hardly an answer to my question;—are the vans completely covered in? They are completely covered in. At the same time I would not say that you could not see daylight between the doors.
690. But there are no venetians? No. They are completely covered in.
691. How much will one of these vans hold? About 5 tons.
692. How much powder have you conveyed by one train—how many vans? Not more than two vans. The quantity varies very much—from 1 cwt. to 5 tons. We may have carried more than 5 tons—perhaps as much as 8 or 9 tons. I could not say positively, but I think I am safe in saying that we may carry from 1 cwt. to 8 tons at any one time.
693. *Mr. Moriarty.*] Do you think there is any danger in allowing the powder-trucks to stand so long as a week or a fortnight at one of these country stations, with people smoking, bush fires, and other sources of danger about? I don't think there would be much danger from smoking or bush fires, but still I think there is a small amount of danger, and for that reason I should prefer a magazine in preference to the vans.
694. Do you think if a regulation were made to the effect that no powder would be carried on the railway until the dray or other means of conveyance was ready at the far end to receive it, which could be easily telegraphed,

telegraphed, it would get rid of this source of danger. Supposing a person in Bathurst wanted to get powder from Sydney, and there was a regulation providing that the powder would not be taken on the railway until a telegram had been received that a dray was ready to take it, do you think that would diminish the danger? No doubt about it, if it could be done.

695. But would there be any difficulty about its being done? I don't know that it would be impossible.

696. What is about the time occupied in conveying powder from Sydney to Bathurst or Goulburn? Something like eleven or twelve hours.

697. *Mr. Barnett.*] Can you tell us what quantity of powder you took during the last year, and the largest quantity taken at any one time? We carried about 131 tons for the twelve months ending say February last. About 7 tons would be the largest quantity taken at one time.

698. Are any passenger carriages attached to these goods trains? No.

699. Whereabouts are these powder-vans placed in the train;—they are not placed near the engine, for instance? No, I don't think you would find them there. The powder-van being a marked van would not be likely to be placed in such a position.

700. Is there any particular mark upon it? Yes. The whole construction is different. I may mention that powder in smaller quantities is not necessarily packed in a separate van. We may load small packages of powder with other goods, but it is always conveyed in a powder-van or covered van, which is equally secure. For instance, if we receive a couple of kegs at the Redfern terminus, or a case of canister powder, it is always consigned as powder, loaded in a powder-van or covered van, but with other goods.

701. But the powder-van when brought up from Darling Harbour is kept in the yard with the other goods? Yes.

702. With these locomotives passing and repassing all the time? Yes.

Mr.
D. Vernon.
3 Aug. 1875.

FRIDAY, 6 AUGUST, 1875.

Present:—

J. BARNET, Esq.,
CAPT. HIXSON,

LIEUT.-COL. RICHARDSON,
E. O. MORIARTY, Esq.

CAPTAIN G. K. MANN IN THE CHAIR.

Mr. J. T. Blanchard, Assistant Ordnance Storekeeper, called in and further examined:—

703. *Chairman.*] The Board are desirous, Mr. Blanchard, of being informed as to the guard and the authorities that exist at the magazine for the supervision of powder and stores there? We have a night watchman and a day watchman. Formerly we had a guard of soldiers, but since the Imperial troops were withdrawn that is the plan we have adopted.

704. What are these men—are they constables? No, laborers on the place; each man takes his turn.

705. Are they sworn in as constables? No.

706. What power have they to apprehend any person coming on the Island? There is no law that I am aware of that they can go upon; they apprehend a man and keep him under surveillance until they can place him in the charge of the police; when, if there were any proof of felonious intention, I suppose, of course, the man would be convicted.

707. Are these watchmen provided with special regulations to inform them how they are to act in these cases? There are no special rules beyond what I have stated; it is generally left to their own discretion.

708. But supposing a party of three or four men, or even a larger number, took it into their heads to land on the Island, what power have you to prevent them? The watchman would call the other laborers to his assistance if the intruders were too many for him; our men are provided with fire-arms.

709. Are their fire-arms loaded? No, but we have a supply of ammunition, and it would not take them long to load.

710. Is there no difference between the magazine at Goat Island and the one at Spectacle Island in this respect? No, they are both the same.

711. Has any case occurred where these men have taken trespassers in charge? I know of one that occurred; I think it was about three months ago, when a man was found on the Island. But nothing could be proved against him; he had merely drifted there in a boat, and there was no reason to suppose that he had any felonious intention.

712. Will you describe what was done on that occasion? He was taken in charge by the watchman, and handed over to the Water Police.

713. What time did this occur? It was early in the morning; I suppose about 3 or 4 o'clock.

714. Was he sober or not? He was intoxicated, I believe; he was found lying asleep and given in charge of the police.

715. Did the police take any action—was he punished in any way? No, they could not prove any improper intention.

716. *Mr. Barnett.*] Where did this take place? At Goat Island. It appeared that he got away from some vessel with the intention of being left behind; he had no oars in the boat, and had drifted with the tide.

717. *Chairman.*] And there was only one man on duty on the Island at the time? One man only.

718. And he was stationed near the magazine I suppose? He patrols the Island as well.

719. Then he might be at some distance on an occasion of this kind? He might; but a number of men would not prevent any person from landing more than one man. It is always possible for a man to land on Goat Island without being observed.

720. How many men are there on the Island capable of being brought together? There are six men, besides the foreman on Goat Island, and four on Spectacle Island.

721. And they are all at work during the day? Yes, they have their regular duties to perform.

722. And sometimes they are employed throughout the day entirely at fatiguing work? Yes.

723. Is there any path round the Island—along the shore—on which the watchman, who you say patrols the Island, can walk? There is no regular path, except for a portion of the way—the remainder is bush; and it is the same on Spectacle Island—there is no regular path.

Mr. J. T.
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Mr. J. T.
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6 Aug., 1875.

724. Do you think that guard is sufficient for the magazine? I think it is under existing circumstances; but of course in time of disturbance it would be necessary to increase the watch, and give us extra labourers for that.
725. Do you know what instructions are given to these men when powder-boats are moored by the lightermen off the magazine—when there is not time to discharge them? Yes. That very rarely occurs, but it does occur at times.
726. What instructions are given to the watchman on such occasions? The boats are placed in his charge, and he would take such action as he might think necessary.
727. Are they placed under the charge of the magazine authorities? I could scarcely say that we are responsible for the powder if any damage should come to it from the boat springing a leak, or anything of that sort; but in other respects we are to watch and guard it.
728. Merely for the sake of safety? For the sake of safety.
729. Have you any means of communicating with these boats in case of necessity? Yes, there are two boats on each Island with the regular boatmen.
730. Are the men on watch supplied with an order to board the same as sentries are? There are the magazine regulations for each Island, for the guidance of the foreman and men.
731. And who sees that they are placed at their several posts? The watchman goes on at 6 o'clock at night, and remains till 6 o'clock the following morning.
732. Does the foreman see that he is at his post? Yes, and he occasionally visits him.
733. How are the men told off for duty? They report themselves to the foreman at 6 o'clock at night and at 6 o'clock the next morning.
734. Is there a regular duty roll kept? Yes—a duty roster.
735. Each man knows his tour of duty and takes it as a matter of course? Yes, and the orders are read to all the men each month.
736. Yes, but how does each man know his tour of duty for the day? They go by rotation.
737. Have you ever known an instance where, by mistake or otherwise, that there has been no watchman on duty? Do you mean by a mistake of the foreman?
738. Or of the men themselves; they do not appear to be regularly posted? No, there have been no such instances; but they have been found sleeping on their posts, and have been punished for it, either by being discharged or by loss of pay. I had a case myself, where I found a man sleeping at his post, and I took his rifle from him; he was discharged.
739. *Lieut.-Col. Richardson.*] These watchmen are furnished with rifles and ammunition? Yes.
740. What instructions are given to them as to the use of these arms? Not to use them except under very special circumstances, and to exercise their own discretion.
741. But supposing a man was shot, are you aware that the watchman would be liable to be tried for murder? If he could show sufficient cause, if he could show that he was acting for the public safety, I should think he would be exempted from any punishment.
742. He is not an enlisted soldier or a special constable, and he would assuredly be tried for murder? I thought the protection of the public would be a sufficient reason to exempt him. I understand that our department is a semi-military department and governed by the same regulations; when we could have them we always had military sentries.
743. Is gun-cotton stored in the same magazine as the gunpowder? Certainly not.
744. How is it packed? In ordinary deal cases.
745. Are they luted with tupe and marine glue? I believe they are.
746. Is there any store-tank in the magazine for the storage of gun-cotton? No.
747. It is merely packed in wooden boxes? Yes, and stored in a shed apart from the other explosives.
748. Are you aware that in the Imperial Regulations it is laid down that gun-cotton must be stored in tanks? I believe such a rule does exist.
749. Are you further aware that the safety of gun-cotton depends upon its being kept in a damp state, and that in the Imperial Service tanks are supplied for this purpose, and that the gun-cotton is inspected every three months? I cannot say that I was aware of that.
750. You have no appliances of that kind here? None at all.
751. Is there any clause in the Colonial Regulations to prevent the labourers employed in the magazine from carrying matches or other combustibles? There are plenty of regulations which prohibit that.
752. When strangers have access to the magazine are any precautions taken to relieve them of any matches they may have about them? They are interrogated and asked to hand them to the foreman, and they are obliged to change their clothes and put on goloshes.
753. Does the foreman ever absent himself from the Island without leave? I am not aware of it—not during working hours.
754. Are the workmen supplied with special clothing during working hours? They are, both with summer and winter clothing.
755. As laid down in the Imperial Regulations? As laid down in the Imperial Regulations—with two different suits.
756. On purpose for working in the magazine? Yes.
757. And they are shifted when they go in and out? Yes.
758. Are slippers invariable worn? Yes, always.
759. In removing powder from one part of the magazine to another, what precautions are taken to prevent accidents? Wadmills, tilts and matting are laid down, and rope tackle and can hooks and regular trucks, fitted with copper screws, are used in removing it.
760. Are barrels of powder rolled along the floor of the magazine? I have known it to be done in that way, but there are special trucks provided for that purpose, and the men have been warned against such irregularities.
761. If the head of a barrel containing powder should start when it is moved in the magazine what is done? A fresh package is procured to place the contents in from the broken one.
762. Do you remove the package at once from the magazine? Yes, certainly.
763. In heading barrels of powder what tools are used? The regular tools—all of copper.
764. Are any iron tools used in the cooperage? No, they are all copper.
765. Is every package carefully examined before it is taken into the magazine? Yes, I believe the foreman does it.

Mr. J. T.
Blanchard.
6 Aug., 1875.

766. If defective is it removed before going into the magazine? Most decidedly.
767. On the appearance of a storm or thunder what is done, supposing the magazine to be open? The watchman immediately reports it to the foreman and he has it closed.
768. Is breech-loading ammunition, which contains its own means of ignition, stored in the same compartment as gunpowder? No, it is kept apart in a separate store-room.
769. Are percussion caps kept in the same place as gunpowder? No, they are kept in a separate room.
770. Are percussion caps kept in any place where the manipulation of powder takes place? They are not.
771. Is there a thermometer in each magazine? Yes, we have been supplied with them, and I believe they are there now.
772. In each magazine? Yes.
773. Is there a fire-engine or hose in each magazine? No.
774. You have no means of putting out a fire? No, beyond ordinary buckets.
775. Are laboratory operations carried on in the same building? No, in a separate building.
776. About what distance is the laboratory from the magazine, in yards—50? Not so much as that; about 10 or 12 yards on Spectacle Island, and on Goat Island it might be 15.
777. Are you aware that according to the Imperial regulations no laboratory is permitted within 400 yards of a magazine? I am afraid our space would not admit of that distance.
778. What is done with any surplus powder which may be left in the laboratory when the day's work is finished? It is always placed in the magazine.
779. Mr. Bayliss has given us evidence that powder barges not discharged are sometimes moored off the magazine wharf;—how far, as a rule, are they moored? Within 50 yards; that is the distance.
780. Are you aware that under the Imperial regulations no boat can be moored within 900 yards of a magazine? If we had to do that they would be beyond our control; we consider 50 yards as much as we can allow.
781. Is there anything in our regulations to define the distance? No, except that that distance is approved.
782. Are lanterns used in the magazine? We never have occasion to use them.
783. At what hour are the workmen's lights extinguished on the Island? At 11 o'clock.
784. *Mr. Moriarty.*] Do you think the guard you have on the Island, considering the magnitude of the danger, is sufficient? Under existing circumstances I think it is. As I said before, in times of disturbance it would have to be increased. They only patrol the Island three or four times during the night; they remain near the magazine the chief part of the time.
785. What are the regulations to prevent persons approaching the Island from landing upon it; from what source do they emanate—from the Treasury? From the Treasury. They are prepared by the Ordnance Storekeeper, and the Treasurer approves of them. No person is allowed to land without special authority.
786. And if they do land, what then;—are they taken in charge by the police? They are quietly ordered off, and if they persist in landing of course we must take action.
787. And that action depends upon the judgment of the watchman? The watchman and foreman.
788. Now, supposing a man is arrested for coming on to the Island, what is the next step? We hand him over to the Water Police.
789. What do they do with him? I suppose they confine him.
790. Can they do so under any enactment? There is no provision in our Act for that.
791. I want to know what the law is on that point? Well, I suppose if it is proved that he is there with any felonious intention that is sufficient to punish him.
792. Supposing he is merely smoking his pipe? Then he is handed over to the police for trespassing, and if within the boundary-walls he has to extinguish his pipe.
793. But I want to know what the police can do supposing he is handed over to them? There is no special law that I know of; the Powder Act makes no provision for that.
794. Then do you consider that, in that view of the case, the Powder Act is insufficient? I do; I think there should be some special regulation to meet such cases.
795. You think the regulations should be made more stringent to meet that difficulty? Yes.
796. Are the regulations now in force presumed to be under the special authority of an Act of Parliament? They are.
797. What is that Act? 7 William IV No. 7, and 16 Victoria No. 47. It states that the Government can make such regulations as they may consider necessary.
798. Are the watchmen under these regulations vested with any power to resist to extremity? No, they receive no directions.
799. They are entirely on their own discretion? Yes.
800. Are these watchmen mere laborers, taken on at any time and dismissed at any time, or are they in any shape or form a constabulary or military force? They are chiefly pensioners and soldiers.
801. But they are laborers now? Yes.
802. Have they any military standing under the Powder Act? No, there is no provision for them in the Act.
803. *Lieut.-Col. Richardson.*] They are merely civilian laborers? Civilian laborers or pensioners appointed by the Treasurer, as the case may be.
804. *Mr. Moriarty.*] And they may be dismissed and taken on at any moment? Yes.
805. And any laborer may be taken on as a powder laborer? Yes.
806. You do not always look out for old soldiers? Yes, we do.
807. But if you cannot find them you take on any men? It is necessary to do so.
808. How are they paid? They get so much a day.
809. How often are they paid? Every month.
810. Now, when powder is brought back and moored near the wharf, I think I understood you to say that you undertake no responsibility further than instructing your men to do the best they can? We do not take any responsibility as to the safety of the powder until we get it on to the Island, beyond taking all the care we can.
811. Do you think it would be desirable to have more stringent regulations in this case? I do.

- Mr. J. T. Blanchard.
6 Aug., 1875.
812. So that when powder is brought back it should be directly under the control of the authorities;—would you advise that? No, because that would lay the Government open to claims against them if any damage should occur from the boats being defective—if they sprung a leak.
813. But supposing proper arrangements were made with regard to the boats? If the boats belonged to the Government I should say arrangements could be made.
814. In view of the public safety would you suggest that the authorities should be entrusted with the control of the powder and have proper boats specially designed for the purpose, in order to move the powder with safety? I think the boats should be provided by the department, and that would ensure safety.
815. Belonging to the department? Yes.
816. Mr. Barnet.] Do you think there is any danger in having these boats towed by a steam-launch? Not if they are properly covered-up boats with hatchways. Still it is not a desirable thing to move powder with steam-launches; it is always avoided if possible.
817. Captain Hixson.] Have you ever heard any complaints about the time it takes to convey powder under the present arrangements from the ships in which it arrives in the harbour up to Goat Island? No complaints of that sort would scarcely reach us, because we have nothing to do with it; the Customs police deal with the powder until it reaches us.
818. Have you any idea whether any such complaints are made? No, I have heard of no complaints.
819. Have you any Government gun-cotton in the magazine now? No, it is all private, belonging to merchants.
820. Have you much of it there now? No, only a very trifling quantity—only a few hundred weight.
821. Mr. Barnet.] Do you receive any notice of powder coming to you before it arrives? No; the Act states that the masters of vessels should report to the Customs and also to our department, in order to obtain a permit to land the same on the Island, but they never do it.
822. But supposing a person wants to remove powder from the magazine? He gets a permit from us.
823. He may come at any time? Yes, and if it is for shipment we deliver it after 9 o'clock, which we do not in other cases. If it is for town delivery, for instance, it is only delivered up to 9 o'clock, and to the Railway up to 12 o'clock.
824. Captain Hixson.] Do you think the transit of powder through the town is attended with danger? I do, because the men who have to deal with it are not proper persons to take charge of powder, and do not take proper precautions. But I believe arrangements are now being made in the department to have it under our own control.
825. To have the custody of the powder until it is actually delivered to the owner or to the railway? No, not to the railway;—to the merchants in town.
826. In fact an arrangement is now being made for the department to deliver all the powder for town use by land or waterwise? Yes; it should have been done long ago.
827. And you think this arrangement will tend to lessen the danger which now exists? Yes, considerably.
828. Can you tell us what the proposed arrangements are? Well, they are not consummated yet; there is to be a meeting of merchants next week about it.
829. Are they a proposal on the part of the merchants in Sydney? No, on the part of the Ordnance Storekeeper.
830. In fact there is to be a conference with the merchants as to the department taking upon itself the responsibility of delivering town powder? Yes.
831. But you are not at liberty to state what the proposed arrangements are? Well, I do not think there will be any harm in sending you a copy of them, as you could easily obtain them elsewhere. (*Vide Appendix.*)
832. Chairman.] Is there any other suggestion you would like to make to the Board before you leave? No, I can only reiterate the statement made in writing by the head of the department.
833. You do not wish to add anything to the evidence you have given to-day? No, I do not think anything else is necessary.

TUESDAY, 17 AUGUST, 1875.

Present:—

E. O. MORIARTY, Esq.,
LIEUT.-COL. RICHARDSON,

J. BARNET, Esq.,
CAPT. HIXSON.

CAPTAIN G. K. MANN, IN THE CHAIR.

Major Chs. Roberts, late R.A., called in and examined:—

- Major C. Roberts.
17 Aug., 1875.
834. Chairman.] The Board are desirous, Major Roberts, of ascertaining the localities of the different powder magazines in England;—can you give us any information upon that point? Do you mean large magazines?
835. Perhaps you had better confine your reply in the first place to the Government magazines, and then refer to any magazines of importance of which you may be aware? There is a large magazine at Hounslow.
836. That is a Government magazine? Yes; there are large magazines at Plymouth, at Portsmouth, and at Dover, but I think about the largest magazine is at Purfleet, which is for the storage of powder.
837. Have you any idea of the maximum quantity of powder stored there? I could not say.
838. Could you approximate it? No; it has escaped my memory; I do not think they have more now than 300 tons there at any time, but go to the manufacturers when they require more; but that is only an idea, and I am not at all sure about it.
839. You mean that is the largest quantity they keep in one magazine? No. I don't think they have more than that quantity there altogether in the magazines, but it is nearly twenty years since I was at Purfleet; it is a great place for storing powder.
840. Would that 300 tons be the aggregate quantity of powder in the hands of the Government, or the quantity stored in a magazine? The aggregate quantity in the hands of the Government in those magazines.

Major
C. Roberts.

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841. Then it might be distributed throughout a number of magazines? Yes; but it would be chiefly at Hounslow or Purfleet.
842. Can you give us any idea of the distance which these magazines are from habitations? The magazines at Purfleet are not more than half-a-mile distant.
843. Are there any public thoroughfares within the proximity of the magazines? As well as I remember there is a road going through the "compound" or Government enclosure at Purfleet, but then of course nobody can pass, except by certain permission.
844. Can you give the Board any information in reference to the conveyance and transit of powder or explosives at Home? At Purfleet, when they brought in powder from Waltham Abbey, they brought it in barges, and all fires were obliged to be put out during the transit from the barges to the magazines; the powder is put into barrels.
845. Will you describe the kind of barges used? Ordinary barges.
846. Are they covered in any way? Not those which I recollect; they were the ordinary Thames barge, with their usual covers and tarpaulins.
847. The operation of removing the powder was always undertaken by experienced hands, I presume? Yes; at Purfleet there was always a working party told off for it—in charge of an officer.
848. Men specially employed for the purpose? Yes; there was always somebody on the magazine staff connected with it.
849. The Imperial Government have several manufactories of their own, I believe? No, only at Waltham Abbey that I know of; I think the others merely belong to private individuals, who contract for the supply of powder.
850. Do you remember the account of the explosion which took place at Erith? Yes.
851. Do you know any of the details of that explosion? No, I don't think I was in England at the time.
852. Can you furnish the Board with any particulars as to the area of danger surrounding a magazine? That of course would depend upon the quantity of powder stored in it. I don't think you have any data to go upon.
853. What is your opinion as to the effect of an explosion of 500 tons of powder for instance? You must give me a locality, because that would make a good deal of difference. If the magazine were situated on a plain, for instance, the effect would be more extended.
854. I will put the question in a different way: 500 tons of powder have been stored at Goat Island. Supposing an explosion to have taken place, what do you think would have been its effect upon the City of Sydney? I think its effect would have been to destroy the better part of George-street north, and all to the west of the hill—westward of York-street at any rate. Anything open to the explosion would be damaged within a radius of a mile and a half—certainly within a mile, because there would be nothing to stop it. The effect would be worse this way than it would at the North Shore.
855. Why do you think so? Because, as well as I can remember, there is high land there opposite Goat Island, and there would be a sort of rebound of concussion from it in this direction; but the materials of the magazine might go almost any distance.
856. Do you think the effects of an explosion might be guarded against by substantial traverses in different directions from the magazine? I don't think that would have much effect; I think the greatest security would be in sinking the magazine into the solid earth as much as possible, so as to force the force of the explosion upwards and prevent its extension laterally.
857. What is your opinion with respect to the construction of a powder magazine; do you think it ought to be a lightly constructed building, or a more solid bomb-proof erection? With regard to Goat Island I should say the lighter the building the better.
858. A magazine for the storage of ordinary mercantile powder? Certainly it should be a light building, something like the field magazines, which have little more than wooden sides covered with earth and well covered with earth on the top. Of course that would be rather dangerous here on account of bush fires, and you would have that to consider. So that perhaps it might be better to have a light brick building.
859. *Mr. Moriarty.*] You are acquainted of course with the position of the magazine at Goat Island? Yes.
860. We have it in evidence that there has been as much as 500 tons of powder stored there at one time. Having regard to all the circumstances of the case, do you think it judicious to store such a large quantity of powder close to the city? Certainly not; I don't think while we were here we had that quantity stored; our largest quantity was at Spectacle Island, we had a guard at Goat Island, but I don't think we had much powder in the magazine.
861. I am speaking of merchants' powder chiefly. From your knowledge of the magazines at Home and of the subject generally, should you think that Goat Island was in dangerous proximity to a town? Well I think all large magazines near towns are dangerous to a certain extent.
862. Do you think there is extra danger attached to the storing of merchants' powder in conjunction with Government powder? That depends upon what right there is to go near it and to inspect it—how do they receive it?
863. Well we are told that the mode of receiving and delivering powder is very far from efficient, and that the storing of merchants' powder adds very much to the danger of keeping Imperial powder? It depends greatly upon whether there is a good superintendent—a good magazine man; there ought not to be much danger as long as the rules are carried out rigidly.
864. And as long as the superintendent has full power? Yes, as long as he has full power.
865. Do you think a magazine should be under military authority, so that strict discipline can be enforced and all orders promptly carried out? Yes, certainly; at Home the officer commanding the Artillery is responsible; every magazine in the garrison is placed under his charge. I was just thinking that one of the magazines in Plymouth is quite as near the town as Goat Island is to Sydney. That in the citadel.
866. Have you any idea of the average quantity of powder stored there? No, I do not remember exactly. I should think there would have been about 300 or 400 barrels—say from 10 to 15 tons; but then that was all in barrels or in rectangular cases; a great deal of it was made up for service.
867. Having regard to the peculiar circumstances of this country, its distance from Home, and the difficulty there would be in obtaining an adequate supply of gunpowder if England were engaged in war with any other country, do you think it would be judicious to have all our powder in one magazine? Certainly not.
868. Then you would recommend a separation of the powder and to have it stored in two magazines at least? Yes, or even more.

Major
C. Roberts.

17 Aug., 1875.

869. You would diminish the risk by separating the powder? Yes, considerably, as far as the amount of damage likely to be done.

870. *Lieut.-Col. Richardson.*] With reference to the magazine at Goat Island, Major Roberts, one consideration now before the Board is to use it as a magazine for naval purposes; their average quantity is about 40 tons. The question I should like to ask you is, whether with that quantity stored at Goat Island under strict regulations there would be any appreciable danger to Balmain and the surrounding places? I think not, with ordinary strict precautions—and naval powder *only* stored there.

871. Under the naval regulations? I do not know what the naval regulations are. Under military regulations—what we used to call storekeeper's regulations—if they were strictly carried out, I don't think there would be much danger; but no laxity must be allowed.

872. Supposing an explosion occurred of 40 tons of gunpowder there, what do you think would be the effect? Well, I think Balmain would be in danger, because the magazine is backed by high ground. I think, looking at the way the houses are placed, Balmain would suffer first.

873. Do you recollect the Inkermann windmill explosion? Yes.

874. Have you any idea of the quantity of powder ignited on that occasion? No. I believe there were about 300 Russian shells on the top of the magazine in the French gun park, but what was inside it I could not say.

875. Do you know what was the area of destruction? Well, it was chiefly composed of camps—tents and wooden huts. Do you mean by destruction, things actually blown down?

876. Blown down and actually injured? I should think about $\frac{1}{2}$ a mile. The hospital huts, which were of wood, belonging to the right siege train, and $\frac{1}{4}$ of a mile distant, were all blown down, but injury to a greater extent was done.

877. Do you know how the accident occurred? Yes, as far as report goes, two Frenchmen were emptying shells—Russian shells; one of them was smoking and the other was not, and curiously enough the man who was not smoking was killed while the other escaped. The body fell on him and saved him; but that is only hearsay.

878. Were they emptying shells into the magazine? Yes, I believe so. It was stated that a piece of one of the shells went as far as Mother Seacole's hut, which was 7 miles off, but of course that is absurd.

879. *Chairman.*] Are you aware of the class of package into which merchants' powder is generally put? They used to be very rough; I don't know what they are now.

880. Do you think the package in which powder is kept is a point of considerable importance? Yes, it is the point of importance, I think.

881. You think that the danger is considerably increased by the inferiority of the package? Yes, from any leakage which may take place from defective packages.

882. Have you had any experience of the other explosive substances which are now coming into use—chemical explosives I may term them? No, I have had none; I know that gunpowder is considered the safest of these explosive mediums.

883. Is it the practice in magazines at Home to store ammunition in the same magazine as gunpowder? Do you mean small-arm ammunition?

884. The various kinds of ammunition—ammunition which carries its own means of ignition with it? No, it is unusual.

885. Is it not always stored in the same magazine? Hardly ever.

886. But it is not unusual to store them in the same magazine? Yes it is; it would not be done at Purfleet.

887. But in expense magazines it is necessary? Almost necessary.

888. There is always a laboratory attached to a magazine, is there not? No, not a regular laboratory.

889. But a building which is designated a laboratory? Well no, I think not as a rule.

890. But where they do exist what distance are they generally from the magazine? Do you mean the place for making up cartridges?

891. Yes, and repacking? The repacking rooms are very often at the end of the small magazines. The magazine is generally or at least frequently made in three rooms, and the powder is issued through a trap door from one room to the other.

892. Would the repacking room be under the same roof? As a rule it is not; in large magazines of course these filling rooms would be as handy to the batteries as is consistent with the distance from the large magazine.

893. You are speaking now of expense magazines? Yes, what I call magazines in fortifications.

894. Our attention is directed more to large storing magazines? Certainly where there are 500 tons of powder it would be desirable to have the making up rooms at a very considerable distance from the powder stored, because that is where the leakage or damage caused by grit is likely to occur, and the whole of the powder might be endangered.

895. The magazines at Home, are they all lined with wood? No, I don't think all of them are; some are, but I know some that are not. Of course they have wooden floors—at least nearly all of them; they are protected as much as possible with hides and cocoon or hair fibre.

896. *Lieut.-Col. Richardson.*] Powder is liable to ignition by concussion merely, is it not—the concussion alone will ignite a shell without fuse? Yes, it has been found to do so.

897. Apropos to that, would not a railway collision, if the train was going (say) 40 miles an hour, be likely to cause an explosion? Yes, very likely.

898. Or even at a less degree of speed? Yes; a horse running away might cause an explosion if the powder-cart were brought in contact with something which caused great resistance.

899. Are you aware of the construction of the powder-vans and the mode of conveying powder by railway? I think it is generally sent away in iron casks, viz., iron cylinders, the tops of which are screwed down and removable; they use a particular varnished barrel for railway travelling which is put into another water-proof or canvas case before it is put into these cylinders, and very often the loose powder is put into a serge bag before it goes into the barrels. Powder has been known to explode from an ordinary leaden bullet striking it against wood—the mere concussion of lead fired against powder. As far as I can remember, when experiments were made with the tumbrils for small-arm ammunition, to see whether the bullets going through would explode the powder, they found that it did.

900. *Mr. Moriarty.*] The heat generated by the concussion would cause the explosion? As far as I can recollect about 600 degrees is the heat required to ignite gunpowder. Of course, the quality of the powder has a great deal to do with it; inferior powder is more likely to explode.

901.

901. *Capt. Hixson.*] Have you any idea of the quantity of powder stored in the different magazines at Home? No. I was just thinking of the name of an island near Plymouth where there is a large magazine—Drake Island.

Major
C. Roberts.

902. Is that island close to the mainland? It is about the same distance as Goat Island is to Dawes' Point—about half-a-mile, or something like that. 17 Aug., 1875.

903. Do you think, if a properly-constructed boat or barge were used for conveying powder about the harbour, there would be any danger attending the towing of the powder-boat or barge by an ordinary steamer? Not if the powder is properly packed; the great danger lies in the defective packages.

904. Do you think the advantage of having the powder conveyed expeditiously across the harbour, by having the boats towed by a steamer instead of being subjected to the delays attending ordinary sailing-boats, would counterbalance any danger which might arise;—do you think it would be safe? I think, of course, that there would be extra danger in the sparks from the steamer. It depends entirely upon the construction of the powder-charge.

905. I mean with properly constructed boats—do you think there would be any danger? Not if the powder be properly packed—that is the greatest security.

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No. 1.

MEMORANDA in reference to the inspection of the Magazines at Spectacle and Goat Islands, as per Board Minute of the 13th May, 1875.

SPECTACLE ISLAND.

Arrangements for delivery and receipt of powder.

There is a covered wooden shed at the end of the jetty, the floor of which is from (5) five to (8) eight feet above the level of the water according to the state of the tide; powder barrels and packages are slung and hoisted in from this height by means of an ordinary tackle and can-hooks; a covered way with a cemented floor upon which trucks run, leads from the end of the jetty to the magazine.

Magazine walls and floors.

The magazines are substantially built of sandstone masonry with slated roof, not bomb-proof. The floors are cemented, and are covered with coir matting along the centre of the ways; the walls are not lined or plastered, being merely the sandstone whitewashed.

Storage.

The powder is packed in the usual copper-hooped barrels and approved cases of the Government pattern, and is stored in racks or bays to the height of about 10 ft. 4 in. from the floors, and 13 ft. from the roofing in the middle of the building.

Laboratory and Ammunition Store.

This building is about 11 ft. only from the principal magazine, and is similar in construction to it; the doors of it and of the magazine are directly opposite one to the other, having a covered way between them, with a cemented floor. The door-sill of the laboratory is about 1 in. above the level of the cemented way, and the sandstone of which it is formed shows evidence of abrasion from the passage of the powder trucks. Charged percussion fuzed shells are stored in this building. The small arm store is distant 27 ft. from the magazine.

Lightning-conductors.

There are (12) twelve in all, viz., ten tri-pointed with copper connecting rods leading through the earth to the water, and two single-pointed or detached staffs with connecting rods also leading to the water; these two are distant from the main magazine buildings 7 ft., the other ten are attached to the buildings, and rise to a height of 34 ft. above the roofing.

Ventilation to Magazine and other buildings.

Windows or openings fitted with inside and outside wooden shutters, but without wire gauze.

Laboratory or Store for small-arm ammunition of the old pattern cartridges.

This building is of similar construction to the principal magazine, from which it is distant 27 ft.

Officers' quarters and labourers' dwellings.

These are separated from the principal magazine buildings partly by a stone wall and partly by an open fence. The distance of the nearest residence from a magazine or laboratory is 17 feet, the furthest 218 feet.

GOAT ISLAND MAGAZINE AND BUILDINGS.

Arrangements for delivery and receipt of powder and other explosives.

There is a covered wooden shed with a slated roof at the end of the jetty, the floor of which is of wood, and of a height enabling the packages of powder to be handed from or to the boat alongside; the floor of the way leading to the magazine, which

which is also of wood, is about 14 feet above the level of the jetty. All packages are hoisted and lowered on a sling frame by means of a rack and pulley to and from level of the trucks for transport to the magazine or otherwise; the ways to the magazines and laboratory have a slated roofing over them throughout.

Principal Magazine.

This is a very substantial building of sandstone masonry, having an arched bomb-proof roof, old style, slated on the exterior. The floors are of hardwood, the walls are whitewashed, without any lining, as is also the interior surface of the bomb-proof roof.

Storage.

Powder stored in barrels and cases; that of the Colonial Government and of the Royal Navy or Imperial Government in the approved copper-hooped barrels or cases; merchants' powder in the ordinary wooden-hooped barrels and cases. The magazine is fitted with ordinary racks or bins, and the powder is stored to a height of about 12 feet from the floor, and 3 to 5 feet from the roof. Powder and other ammunition belonging to the Colonial Government, Her Majesty's ships of war, and merchants' powder, is stored at this establishment.

Laboratory.

This is a substantial building of sandstone masonry with a slated roof; it stands 51 feet from the principal bomb-proof magazine, and about 25 feet from the additional magazine, being between these buildings. It is approached by a covered slated roof way with wooden flooring both from the landing jetty and the two magazines.

Windows, doors, and openings for ventilation.

There is a window at the south end of the principal bomb-proof magazine fitted with inside and outside shutters, and also with a permanent wire-gauze filling; apertures are also made in the side walls. There are double doors to all the buildings. The windows of the laboratory are of the ordinary kind with shutters.

Lightning-conductors.

There are four lightning-conductors in all, viz.:—Three single-pointed on detached staffs, distant from the magazine 6 to 13 feet, and one tri-pointed at the landing shed. The single-pointed conductors have an iron conducting rod, copper tipped, leading to wells in which it is reported that there is a constant supply of water. The tri-pointed conductor leads direct into the water.

Storage of other explosives.

There are two wooden sheds of a temporary character on the north-eastern portion of the island, distant from the main magazine about 210 yards, and from each other 35 yards. In the first shed dynamite and other nitro-glycerine explosives are stored, in the second gun-cotton.

General remarks with reference to Goat Island.

The principal magazines and laboratory are built on an excavated portion of the island towards the south-west, and the elevation of the scarped rocks towards the north-east and east forms a protecting traverse in those directions. On the eastern summit of this rock there is a weatherboard or stone building, occupied by one of the labourers. The general surface of the island is covered with a thick underwood and long grass.

No. 2.

Sydney, 21 July, 1875.

Sir,

Memorandum from F. Lassetter & Co. to Captain Mann.

Having been requested by the Powder Board to give an approximate idea of the quantity of powder which our firm might require to send by each of the railway lines, I consider that it is probable about 200 kegs, each 48 lbs., per month would be about the quantity for the Northern line, Newcastle upwards, and 200 kegs between the Western and Southern lines per month.

Having stated in my evidence that I consider an additional number of powder magazines throughout the Colony would benefit the trade, I now beg to add to the localities I then named that magazines be also established at Wollongong, Shoalhaven River, Clyde River, Bateman's Bay, Twofold Bay.

I have, &c.,

WILLIAM MARSHALL JACKSON.

No. 3.

From Mr. Wm. Alderson, 27th July, 1875.

THE following quantities of Lithofracteur have been imported or received by us since we began the agency in 1872:—

Transhipped to Melbourne.	From whence.	Ship's name.	Quantity.
.....	Melbourne	Rachel Cohen	Cases— 15
.....	London	Mendoza	„ 50
Cases—450	„	Cleta	„ 500
.....	Melbourne	Leonidas	„ 200
.....	London	Guorm Castle	„ 100
Cases—184	„	Glengower	„ 284
			Cases—1,149

Each case contains 55 lbs. of lithofracteur, which is packed in ten 5½-lb. boxes. The lithofracteur being in cartridges of prepared paper, no absorption can occur.

Our clients are principally Messrs. Lassetter, Keep, and Friend.

It has been used at—

Locality.	How employed.
Hill End	For mining.
Great Northern Railway	„ tunnelling, &c.
Kiama	„ quarrying.
Queensland Government	„ railways.
Gympie	„ mining.
Townsville and Cooktown	<i>id.</i> in the interior.

If some regulations were made to facilitate its transport by sea-going vessels, and for its storage and transit in the harbour, the trade in this article would considerably increase. It could be taken as safely on board from any of the wharfs, from Pinchgut, &c. There is no danger whatever in handling it.

[Taken by J. H. L. Scott, Sec., Gunpowder Board.—27/7/75.]

No. 4.

EXTRACT from the Report of the Sydney Chamber of Commerce for the year ending 31st December, 1874.—Transport of Gunpowder.

"Your Committee have reason to believe, on very reliable assurance, that many and serious irregularities frequently occur in the transport of powder to and from the Sydney magazines. It is quite likely that the irregularities referred to are violations of the existing laws, but it does not appear that an active supervision prevails, and consequently the law is disobeyed, to the manifest peril of many of our fellow-citizens."

No. 5.

Mr. Blanchard's evidence.

Proposed Rules and Charges. Submitted by the Ordnance Storekeeper, 28th July, 1875.

1. That all powder required for the town should be applied for by permit, with cards of address for each package, before 3 o'clock p.m. the day previous.
2. That the Powder Clerk will, on receipt of the permit, enter the applications in detail in order book for the Foreman of Magazines' guidance, in the presence of the person who presents the permit, to ensure a fair turn of delivery to each merchant—the boat and cart being limited to a ton.
3. That the Foreman of Magazines will be responsible for the delivery of the powder in the covered-in boat at Miller's or Moore's Wharf by 8.30 o'clock a.m. each day, to the Government carter, with book received from the office.
4. That the carter will be responsible for the delivery of all in the cart to address given by 9.30 o'clock a.m., taking receipt for same.
5. Any portion of day's demand not delivered through want of room to become the first in turn next day.
6. That any mistake, non-delivery, lateness, or carelessness observed by the merchants or their employes to be at once reported to the Ordnance Office, otherwise no notice can be taken.
7. That the scale of charges be as follows:—

	For every package—	Example.
1 lb. to 50 lbs.		
1 to 10 at 6d. each	5s. for 10
11 to 20 at 4d. each	8s. 4d. for 20
21 to 30 at 2d. each	10s. for 30
51 lbs. to 100 lbs.		
1 to 10 at 1s. each	10s. for 10
11 to 20 at 8d. each	16s. 8d. for 20
21 to 30 at 4d. each	20s. for 30

8. These charges to be paid to the Powder Clerk at the time of giving order, and receipt given.
9. One-fourth to be retained as departmental expenses, the other paid into the Public Revenue.
10. Monthly statements, to show all work done and distribution of money, to be rendered.
11. No clerk, foreman, or labourer to receive extra pay for this additional duty but those noted as approved by the Honorable the Treasurer.
12. The foregoing rules and charges to remain in force as long as the merchants' powder remains at Goat Island.

No. 6.

STATISTICAL information supplied by Mr. A. S. Paton, Ordnance Storekeeper, in accordance with a requisition by the Board of the 19th May, 1875.

QUESTIONS.

ANSWERS.

1. The quantity of powder, ammunition, and other explosives capable of being stored on Goat and Spectacle Islands respectively.

Description.	Quantity.	
	Tons	Cwts.
1. Gunpowder.....	300	0
Lithofracteur	23	0
Gun-cotton.....	12	0
Dynamite	12	0
Shell and fuze	5	0

Spectacle Island.

Gunpowder.....	150	0
Shell and fuze	5	0

Goat Island.

2. The greatest quantity that has been stored at any one time on each of these islands?

2. Government Imperial powder.....	100	0
Do Colonial do	200	0
Do Shell and fuze	5	0
Merchants' gunpowder	200	0
Do lithofracteur	6	0
Do dynamite	2	0
Do gun-cotton	0	10

Spectacle Island.

Government Colonial powder	150	0
Do do shell and fuze	5	0

Goat Island.

3. The quantity at present stored in each of these islands?

3. Government Imperial powder	50	0
Do Colonial do	37	10
Do Shell and fuze	2	10
Merchants' gunpowder	61	0
Do lithofracteur	3	0
Do gun-cotton	0	7
Do dynamite	nil	
Do shell and fuze	nil	

Spectacle Island.

Government Colonial powder	110	0
Do do shell and fuze	3	0

A. S. PATON.

No. 7.

RETURN of Gunpowder in Stock, with Receipts and Issues, from 1st January, 1871, to 1st July, 1875, inclusive.

Gunpowder.							
Colonial Government.—Half-yearly.				Merchants'.—Quarterly.			
Date.	Stock.	Receipt.	Issues.	Date.	Stock.	Receipt.	Issues.
	lbs.	lbs.	lbs.		lbs.	lbs.	lbs.
Jan. 1, 1871 ...	131,426	Nil.	Nil.	Jan. 1, 1871 ...	214,066	Nil.	Nil.
July 1, " ...	52,037	25,708	110,496	April 1, 1871 ...	136,340	52,081	129,087
Jan. 1, 1872 ...	75,318	24,262	981	July 1, " ...	68,869	25,323	92,767
July 1, " ...	72,584	1,328	4,626	Oct. 1, " ...	62,152	141,513	148,257
Jan. 1, 1873 ...	69,002	2,280	4,062	Jan. 1, 1872 ...	112,218	133,749	83,683
July 1, " ...	180,112	111,750	640	April 1, 1872 ...	47,169	60,336	125,385
Jan. 1, 1874 ...	174,900	Nil.	5,287	July 1, " ...	153,199	237,085	131,055
July 1, " ...	164,991	Nil.	9,908	Oct. 1, " ...	172,318	238,101	218,982
Jan. 1, 1875 ...	199,758	35,013	208	Jan. 1, 1873 ...	422,558	430,497	180,257
July 1, " ...	221,488	135	2,575	April 1, 1873 ...	549,535	286,021	159,044
				July 1, " ...	585,040	207,864	172,359
				Oct. 1, " ...	580,456	119,221	123,805
				Jan. 1, 1874 ...	572,254	136,367	144,569
				April 1, 1874 ...	453,158	61,318	180,414
				July 1, " ...	427,390	128,805	154,573
				Oct. 1, " ...	314,675	63,981	176,696
				Jan. 1, 1875 ...	231,485	51,454	134,644
				April 1, 1875 ...	128,388	97,956	201,053
				July 1, " ...	108,073	130,635	150,950

Ordnance Office,
13 July, 1875.

For Ordnance Storekeeper,
J. THOS. BLANCHARD,
A.O.S.

No. 8.

REGULATIONS for the Magazine Establishments at Goat and Spectacle Islands.

1. It will be the duty of the Assistant Superintendent of Military Stores to inspect the islands from time to time; inquire into the manner in which the duties are discharged, the cleanliness of the quarters, and as to complaints. He will receive monthly reports from each Foreman; inspect their duty rosters and return of daily work.
2. The Foreman in charge of the Island Magazines are to consider themselves as under the orders of the Assistant Superintendent of Military Stores, who is held responsible for the proper maintenance of discipline and regular conduct.
3. The Government boats are not to be used, except by special permission, on other than legitimate work. The boatmen for the day must always consider themselves bound to convey the inhabitants of the island on which they are stationed, and their friends landing with permission.
4. No persons to be allowed on the islands except those duly authorized by the Honorable the Treasurer, the Officer Commanding the troops, the Military Store Officer, and the Foreman of the Magazines.
5. Boats shall not be allowed to anchor within fifty yards of the islands, except powder barges, when they will be under the supervision of the sentry, and also the orders of the establishment.
6. Ammunition to be received at any time between 6 a.m. and 6 p.m.; but the ordinary working hours to be from 9 a.m. to 4 p.m.
7. No person to be permitted within the Magazines or laboratories without wearing proper Magazine shoes, and the labourers of the department to use the Magazine dresses provided for their use.
8. No smoking to be allowed within the boundary walls of the Magazines and laboratories, or near the landing-places for powder; nor lights or smoking on board the barges containing powder.
9. No spirituous liquors to be introduced upon the islands, except for the use of the Foreman and his family; any disobedience of this order to be reported.
10. No boats to be allowed to come to or leave the islands, nor the department boats to be used on any pretence without the knowledge of the Foreman; and when the department boats are not in use they are to be well secured.
11. The following orders relative to laboratory operations to be strictly obeyed:—
12. No barrels containing gunpowder are to be opened unless in the presence of the Foreman, who will also, at all times, superintend the manufacture of gun-cartridges.
13. Not more than two (2) barrels of gunpowder at Spectacle Island, and four (4) at Goat Island are to be taken from the Magazine to the laboratory at one time, and they are to be returned as soon as made up into cartridges, neither powder or cartridges being allowed to remain in the laboratory during the dinner hour.
14. The men to wear the proper dress and shoes for laboratory whilst at work, the floor being covered with hides and wadmiltits, and only copper tools used; the laboratory to be properly cleaned and watered each day after work.
15. All Imperial orders relative to hours, dress, material, and carefulness, to be observed.
16. A day-watchman will be on from 6 a.m. to 6 p.m., when he will be relieved by the night-watchman. The following orders are for their guidance:—
17. The watchman has charge of all the buildings, which he will patrol round from time to time; he will see that no fires are made or naked lights carried outside the buildings, and will not allow smoking or matches within the Magazine yard.
18. Powder barges anchored off at the jetty are under his charge, and he will see that neither smoking nor lights are on board; and at night he will allow no one to board them.
19. He will see that no boats anchor or come within 50 yards of the island, except those visiting the island on proper authority; and will report the arrival and departure of all boats to the Foreman. The night-watchman will hail all approaching at night; he has also charge of all the island boats, and will allow none to be lowered without permission from the Foreman.
20. On the approach of a thunderstorm, rain, or strong southerly wind, he will communicate with the Foreman, and see that the Magazine is properly closed, and all the boats secured.
21. Anything extraordinary occurring during his watch he will at once report to the Foreman in charge.

Military Stores Office, January, 1872.

Approved,—

GEO. W. LORD,
Colonial Treasurer.

A. S. PATON,
Supt. of Military Stores.

No. 9.

Memorandum.

Military Store Office,
Sydney, 12 December, 1872.

PURSUANT to instructions received from the Treasury, the following orders are issued in addition to those on the Board of Regulations for the guidance of the men on Goat and Spectacle Islands:—

1. The men are to consider themselves as belonging to a semi-military establishment, and must submit to these orders should they wish to retain their present employment; and are informed that any neglect of theirs, either wilfully or through carelessness, will be dealt with severely and likely with dismissal.
2. No person to absent himself from the island without leave, and all are to be on the island, unless granted special leave, by 10 o'clock—reports and the names of all persons landing after that hour to be rendered to this office as hitherto the following morning. On return of leave he will report himself to the Foreman or the watchman on duty, who will take notice of his condition, taking requisite action if necessary.
3. No spirituous liquors to be introduced on the island, except for the use of the Foreman and his family, or such as may be ordered by medical authority; and all boats coming to the island previous to landing are to be inspected by the Foreman, or in his absence by the watchman of the day or night. In the case of the latter, he is to be respected and supported in this his duty. Any neglect on his part will be dealt with in the most severe manner, either by loss of pay, stoppage of leave, or dismissal.
4. The Foreman is expected to visit the quarters of the island residents, and should he have any grounds to suspect that spirituous liquors are in the room, he is authorized to search, reporting such proceeding as early as possible to this office.
5. The watchman will see that all the lights are put out, with the exception of the Foreman's, the Guard-room, and those granted permission in case of sickness or special request, by 11 o'clock p.m.
6. He will also call the "All's well" every half-hour till 6 o'clock a.m.
7. The Foreman is empowered to suspend and take all requisite action for the safety of the Magazine establishment under his charge, always reporting such as early as possible to his superior officer, and attend the office the following morning.
8. This Memo. to be read to each man on the Magazine establishment, and signed by him.
9. The Foreman to retain a copy, and will read it on the last day of each month to the men, reporting the same in his monthly report.

A. S. PATON,
Supt. of Military Stores.

No. 10.

NOTICE.—It having come to the knowledge of the Government that importers of small arm ammunition have rifle implements of iron and steel packed in the cases containing the cartridges, which implements are thus introduced into the Colonial Gunpowder Magazine, contrary to the rules of the service: Notice is hereby given, that from and after the date hereof, any case or package containing gunpowder and iron or steel which shall be removed from any ship or vessel to the Colonial Gunpowder Magazine will be opened by the Ordnance Storekeeper, and the gunpowder contained in such case or package will be by him removed into a secure and proper package, and the expense attending such removal will be charged to the importer or proprietor of the gunpowder so removed and repacked.—Dated this 8th day of February, 1862.

E. C. WEEKES.

The Treasury, New South Wales.

No. 11.

The Treasury, New South Wales,
11 July, 1872.

NOTICE.—The attention of the Government having been called to the practice of importers of sporting powder and small arm cartridges importing the same packed in cases fitted with iron bands and iron nails or with iron nails: Notice is hereby given, that from and after the date hereof, any case or package containing gunpowder or small arm cartridges, and being fitted with iron bands or nails, or with any iron about such packages, which shall be removed from any ship or vessel to the Colonial Gunpowder Magazine, will be opened by the Ordnance Storekeeper, and the contents of such case or package removed into a secure and proper package, and the expense attending same charged to the importer or importers thereof, under the provisions of the Act of Council 7 Wm. 4 No. 7. The lowest charge for such removal will be (10s. 6d.) ten shillings and sixpence per case or package.

W. R. PIDDINGTON.

No. 12.

Rules and Regulations for the Magazine vessel "Gleaner."

A constant watch to be kept by night and day, and on no account is the man on duty to leave the vessel until properly relieved.

The hatches are to be opened daily, weather permitting, for airing the vessel; during stormy weather, thunderstorms, rain, or wind, all is to be made secure.

The vessel is to be swept daily, and decks washed at least three times a week; the vessel to be pumped out by the two men at the morning relief.

The red flag to be hoisted at sunrise, and a signal lamp to replace it at sunset,—a second one being kept in readiness in case of the accidental getting out of order or breakage.

The bell during thick weather to be kept sounding at intervals, the half-hours being struck as is usual in vessels.

No smoking to be allowed on board the vessel, nor matches or lights taken into the hold or cabins.

The Magazine dress and slippers to be worn during receipt or issue of powder, or during any laboratory work.

Ships' stores and Magazine's and merchants' powder to be received between the hours of 6 and 6, but the ordinary working hours to be from 9 o'clock to 4 o'clock.

Powder to be landed only between the hours of 6 o'clock and 10 o'clock a.m.

The men, though belonging to the Ordnance Department, will be under the supervision and orders of the Harbour Master.

The person hereafter appointed will give receipts for powder received, and collect rents due, keeping record of same in books provided for the purpose,—paying the money so collected into the Bank of New South Wales, Newcastle, to the credit of the Ordnance Storekeeper whenever the amount arrives at £2, more than which sum he is at no time to retain in his possession; a detailed statement to be forwarded to the Ordnance Storekeeper on the regular printed form, not later than the 3rd of each month.

The watchman is also held responsible that no boat leaves the vessel with powder unless covered with a tarpaulin.

A. S. PATON,
Ordnance Storekeeper and Barrack Master.

Ordnance Office,
Sydney, 13th October, 1874.

Approved,—GEO. A. LLOYD.

No. 13.

REPORT from the Select Committee on Explosive Substances, before the House of Commons, 26 June, 1874.—Appendix No. 1.
Papers handed in by Major Majendie, R.A., 5 May, 1874.

STORE MAGAZINES FOR GUNPOWDER.

TABLE showing distances in yards of existing Inspected Store Magazines from nearest House, &c., when under half a mile.—
(From Inspection Reports.)

Index Number of Magazines.	Approximate Capacity.	Distance from nearest							Remarks. If marked* Mineral Railway only.
		House.	Factory.	Charitable Institution.	Road.	Railway*.	River or Canal Bank.	Sea-wall.	
1	Tons. 50	.....	.....	.....	.....	.....	.....	150	.....
2	.....	.....	.....	.....	.....	.....	.....	.....	.....
3	75	.....	.....	.....	.....	.....	.....	.....	.....
4	.....	.....	.....	.....	.....	.....	.....	.....	.....
5	.....	.....	.....	.....	.....	.....	.....	.....	.....
6	12	600	.....	.....	15	.....	.....	close to	.....
7	15	180	.....	.....	.....	70	.....	.....	.....
8	50	450	.....	.....	450	500	500	.....	.....
9	15	200	.....	.....	15	100	.....	.....	.....
10	15	.....	.....	.....	.....	.....	.....	.....	.....
11	25	300	.....	.....	.....	80*	.....	.....	.....
12	20	80	.....	.....	15	80*	.....	.....	.....
13	30	128	.....	.....	450	168 ^(a)	.....	.....	(a) But in cutting.
14	.....	.....	.....	.....	.....	.....	.....	.....	.....
15	30	200	.....	.....	165	.....	.....	.....	.....
16	40	.....	.....	.....	.....	.....	.....	.....	.....
17	.....	.....	.....	.....	.....	.....	.....	.....	.....
18	.....	.....	.....	.....	.....	.....	.....	.....	.....
19	.....	.....	.....	.....	.....	.....	.....	.....	.....
20	.....	.....	.....	.....	.....	.....	.....	.....	.....
21	10	.....	.....	.....	.....	.....	.....	.....	.....
22	20	.....	.....	.....	.....	.....	.....	.....	.....
23	.....	.....	.....	.....	.....	.....	.....	.....	.....
24	15	144 ^(b)	.....	.....	190	.....	.....	.....	(b) Village beyond, about 160 to 190 yards.
25	.....	.....	.....	.....	.....	.....	.....	.....	.....
26	75	300	.....	.....	700	700	.....	.....	.....
27	30	450	.....	.....	25	.....	.....	.....	.....
28	35	250	.....	250	200	.....	.....	.....	.....
29	.....	.....	.....	.....	.....	.....	.....	.....	.....
30	12	37 ^(c)	.....	70 ^(d)	37	450	.....	.....	(c) Others at 150 and 260 yards. (d) Another at 183 yards, and another at 170.
31	8	250	.....	.....	22	.....	.....	.....	.....
32	.....	.....	.....	.....	.....	.....	.....	.....	.....
33	15	.....	.....	.....	.....	.....	.....	.....	.....
34	80	.....	.....	.....	.....	.....	.....	.....	.....
35	15	180 ^(e)	.....	.....	500	.....	.....	.....	(e) Others 200 to 300 yards.
36	30	15 ^(f)	.....	.....	20	450	.....	.....	(f) In the middle of a village. Well sheltered on slope of a hill.
37	15	150	70	.....	150	300	.....	.....	.....
38	15	250	.....	.....	150	.....	.....	.....	.....
39	250 300	60 ^(g)	.....	500	450	200	close to (h)	.....	(g) Others at 100, and about 450 yards. (h) But on higher level.
40	.....	.....	.....	.....	.....	.....	.....	.....	.....
41	30	.....	.....	.....	.....	.....	.....	.....	.....
42	.....	.....	.....	.....	.....	.....	.....	.....	.....
43	.....	.....	.....	.....	.....	.....	.....	.....	.....
44	.....	.....	.....	.....	.....	.....	.....	.....	.....
45	.....	.....	.....	.....	.....	.....	.....	.....	.....
46	.....	.....	.....	.....	.....	.....	.....	.....	.....
47	.....	.....	.....	.....	.....	.....	.....	.....	.....
48	.....	.....	.....	.....	.....	.....	.....	.....	.....
49	.....	.....	.....	.....	.....	.....	.....	.....	.....
50	.....	.....	.....	.....	.....	.....	.....	.....	.....
51	.....	.....	.....	.....	.....	.....	.....	.....	.....
52	.....	.....	.....	.....	.....	.....	.....	.....	.....
53	.....	.....	.....	.....	.....	.....	.....	.....	.....
54	30	.....	.....	.....	.....	.....	.....	.....	.....
55	.....	.....	.....	.....	.....	.....	.....	.....	.....
56	50	.....	.....	.....	.....	.....	.....	.....	.....
57	.....	.....	.....	.....	.....	.....	.....	.....	.....
58	.....	.....	.....	.....	.....	.....	.....	.....	.....
59	8	450	.....	.....	20 ^(a)	.....	.....	.....	(a) Bye road.
60	8	50 ^(b)	.....	400	50	400	.....	.....	(b) And others thenceforward.
61	10	450	.....	.....	300	400	.....	.....	.....
62	.....	.....	.....	.....	.....	.....	.....	.....	.....
63	15	.....	.....	.....	.....	.....	.....	.....	.....
64	45	200	140 ^(c)	.....	25	.....	.....	.....	(c) Another at 200.
65	.....	.....	.....	.....	.....	.....	.....	.....	.....
66	5	.....	.....	.....	.....	.....	.....	.....	.....
67	20	.....	.....	.....	.....	.....	.....	.....	.....
68	20	.....	.....	.....	.....	.....	.....	.....	.....
69	20	.....	.....	.....	.....	.....	.....	.....	.....
70	20	275	.....	.....	100	36	.....	.....	.....
71	40	250	.....	.....	.....	50	.....	.....	.....

N.B.—In the case of those magazines of which the index numbers only are given, the distances have not been ascertained or recorded with sufficient accuracy to justify their insertion in this return.

Index Number of Magazines	Approximate Capacity.	Distance from nearest						Remarks. If marked* Mineral Railway only.	
		House.	Factory.	Charitable Institution.	Road.	Railway.*	River or Canal Bank.		Sea-wall.
72	Tons.	.....	.....	.....	.....	.....	.....	.....
73	10	.....	.....	.....	.....	.....	.....	.....
74	.....	.....	.....	.....	.....	.....	.....	.....
75	.....	.....	.....	.....	.....	.....	.....	.....
76	.....	.....	.....	.....	.....	.....	.....	.....
77	2	300	.....	.....	100	.....	.....	.....
78	3	192	.....	.....	400	700	.....	.....
79	2	250	250	.....	80	.....	.....	.....
80	12	104	.....	550	550	180	.....	.....
81	3	87 ^(d)	130	103	83	.....	.....	.....	(^d) Another at 110 yards, 333 yards to parish church.
82	12	250	450	.....	.....	.....	.....	.....
83	2	25 ^(e)	.....	.....	5	.....	120 ^(f)	.....	(^e) A row of houses. (^f) Dunkeld Bridge.
84	1	30 ^(g)	.....	.....	40	.....	.....	.....	(^g) And opposite side of street, 50 yards.
85	8	173 ^(h)	.....	.....	250	700	.....	.....	(^h) A row of cottages.
86	5	82 ⁽ⁱ⁾	200	90	.....	.....	.....	(ⁱ) Other cottages 200 to 250 yards.
87	100	210	400	.....	close	.....	.....	.....
88	15	150 ^(j)	2350	150	close	300	.....	.....	(^j) More at 200 yards.
89	150	80 ^(k)	250	.....	.....	.....	10	.....	(^k) Others 200 to 250 yards. (^l) Southern outfall about $\frac{1}{4}$ mile.
90	300	100	300 ^(m)	.....	.....	.....	close	.....	(^m) Other works about $\frac{1}{2}$ mile.
91	20	310	.....	.....	close	.....	.....	25	
92	2	300	.....	.....	30	.....	10 ⁽ⁿ⁾	(ⁿ) Above the level of the canal.
93	20	170 ^(o)	300	.....	.....	.....	.....	.....	(^o) Village about 300 yards.
94	.....	.....	.....	.....	450	.....	.....	.....
95	10	.....	.....	.....	400	.....	.....	.....
96	.....	.....	.....	.....	100	.....	.....	.....
97	5	28	.....	.....	41	.....	.....	.....
98	250	.....	.....	.....	.....	.....	.....	.....	Floating magazine in the Thames.
99	20	700	.....	.....	30 ^(p)	.....	close	.....	(^p) Bye road. Main road 450 yds.
100	8	60	.....	.....	250	200	.....	.....
101	5	600	.....	.....	95	.....	.....	.....
102	25 ^(q)	2350	.....	.....	.....	.....	450	.....	(^q) Limited by license to 20 tons. Well screened.
103	10	170	.....	.....	close	.....	.....	.....
104	15	100	.....	.....	.....	300	.....	.....
105	24	174	.....	.....	154	.....	.....	.....
106	5	.....	.....	.....	.....	.....	90	.....
107	25	150	.....	.....	.....	.....	70	.....
108	2	2250 ^(b)	.....	.....	.....	250*	.....	.....	(^b) Village.
109	4	close	.....	.....	close	.....	.....	.....	(^c) Others about 100 yds. scattered about.
110	35	21 ^(c)	.....	.....	100	450	.....	.....
111	7 $\frac{1}{2}$	2250	500	.....	.....	.....	close	.....	? License limited to 3 tons.
112	10	.....	300	.....	.....	.....	close	.....	(^d) 120 yds. from a row of cottages; only 33 paces from No. 114 magazine.
113	100	46 ^(d)	200	.....	.....	.....	close	.....	(^e) Many cottages 50 to 70 yards. (^f) But-a double river wall.
114	125	50 ^(e)	150	.....	.....	.....	close ^(f)	.....
115	100	50	.....	.....	.....	.....	close	.....
116	35	.....	.....	.....	100	300	.....	.....
117	40	2500	.....	.....	250	.....	.....	.....
118	5	2150	.....	.....	100	450*	.....	.....
119	40	200 ^(g)	.....	600	250	200	30 ^(h)	.....	(^g) Several cottages. (^h) Canal bank strengthened by 30 feet of refuse.
120	25	.....	150	.....	300	.....	Canal below	.....
121	50	.....	450	.....	15	.....	5	.....
122	15	2350	.....	.....	.....	.....	.....	.....
123	10	250	.....	.....	400	.....	.....	.....
124	20	450	.....	.....	.....	2120*	.....	.....
125	20	2350	.....	.....	100	2350	.....	.....
126	15	450	.....	.....	.....	.....	(ⁱ)	.....	(ⁱ) Outside an embankment, apparently above high-water mark, except very high tide. Six magazines near one another on bank of river Usk.
127	150	400	.....	.....	.....	.....	(^j)	.....
128	200	400	.....	.....	.....	.....	(^k)	.....
129	30	400	.....	.....	.....	.....	(^l)	.....
130	60	90	.....	.....	.....	.....	(^m)	.....
131	45	150	.....	.....	.....	.....	(ⁿ)	.....
132	?	.....	.....	.....	.....	.....	.....	.....	Closed.
133	14	300	.....	.....	.....	.....	5 ^(j)	.....	(^j) Not liable to inundation.
134	15	.....	.....	.....	.....	.....	(^k)	.....	(^k) On sea bank above high-water.
135	40	400	.....	.....	150	.....	.....	.....
136	40	100	.....	150 ^(l)	40	70	.....	.....	(^l) Primitive Methodist Chapel built since Magazine.
137	35	200	.....	.....	450	.....	.....	.....
138	20 ? 30	250	.....	.....	200	.....	.....	.....
139	(?)	300	.....	.....	300	.....	.....	.....	Closed.
140	15	300	.....	.....	450	.....	.....	.....
141	25	.....	.....	.....	.....	.....	.....	.....
142	50	100	.....	100	90 ^(m)	.....	.....	.....	(^m) A mountain road passes close to magazine.
143	40	400	.....	.....	400	.....	.....	.....

N.B.—In the case of those magazines of which the index numbers only are given, the distances have not been ascertained or recorded with sufficient accuracy to justify their insertion in this Return.

Index Number of Magazines.	Approximate Capacity.	Distance from nearest							Remarks. If marked* Mineral Railway only.
		Houses	Factory.	Charitable Institution.	Road.	Railway.*	River or Canal Bank.	Sea-wall.	
144	Tons. 7	53 ⁽ⁿ⁾	150	.....	.....	120*	.....	.....	(ⁿ) Two cottages; more 100 yards, and from 300 to 400 yards.
145	12	300	.....	.....	50	450	.....	.....	Screened.
146	4	.....	.....	.....	20	.....	.....	.....	"
147	30	100	.....	.....	40	260	.....	.....	"
148	15	40	.....	.....	.....	20	.....	.....	Cottage and Railway built since magazine.
149	25	150	150	.....	150	150	.....	.....	} A few yards apart.
150	40	150	150	.....	150	150	.....	.....
151	30	65	.....	.....	.....	50	.....	.....	} Very near together.
152	20	150	.....	.....	.....	150	.....	.....
153	20	150	.....	.....	.....	150	.....	.....
154	10	.....	.....	.....	300	200	.....	.....
155	30	100 ⁽ⁿ⁾	50 ⁽ⁿ⁾	600	.....	.....	(ⁿ) Others at 200 yards, and more at 300 to 400 yards. (^p) Bye road. High road at 200 yards.
156	6	500	.....	600	400	700	.....	.....	Sheltered.
157	4	75	.....	.....	450	.....	.....	.....
158	30	100	.....	.....	50	.....	110	.....	Sheltered.
159	50	150	.....	.....	40	.....	70	.....
160	30	450	.....	.....	450	.....	50	.....	(^s) Railway on a 50-foot embankment. Magazine below.
161	35	450	.....	450	450	50 ⁽ⁿ⁾	
162	15	300	.....	.....	10	.....	.....	.....	Magazine in a hollow.
163	10	200	.....	.....	200	450	.....	.....
164	2	400	.....	.....	.....	.....	200	.....	Magazine in a hollow.
165	10	2250	.....	.....	250	{ 200* 450 }	.....	.....
166	4	300	.....	.....	.....	450	200	.....	Magazine in a hollow.
167	20	450	.....	.....	450	.....	10	.....
168	40	150	80	.....	400	450	.....	.....	Magazine in a hollow.
169	8	450	.....	.....	120	.....	.....	.....
170	20	180	.....	.....	200	.....	10	.....	(^t) A few cottages.
171	.....	120 ^(t)	100	.....	close	.....	30	.....
172	30	400	.....	.....	100	.....	.....	.....	} Only 7 yards apart.
173	40	.....	.....	.....	100	.....	.....	.....
174	40	.....	.....	.....	100	.....	.....	.....	} Only 7 yards apart.
175	5	400 ^(e)	.....	.....	150	450	.....	.....
176	50	160	.....	.....	100	.....	.....	.....	(^e) Houses newly erected.
177	40	2300	.....	.....	250	250*	.....	.....	Sheltered

Home Office, Whitehall,
April, 1874.

V. D. MAJENDIE,
Major, R.A.,
Her Majesty's Inspector of Gunpowder Works.

No. 14.

Synopsis of certain Explosions of Gunpowder and other materials.

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(No. 1.)

Extract from the "Illustrated London News," 1st October, 1864.

ERITH.

"EARLY on Saturday morning, at twenty minutes to 7, a.m., two gunpowder magazines on the south bank of the Thames, 2 miles west of Erith, in the Plumstead marshes, exploded, killing eight or nine men and wounding many others. The shock was felt severely at Charing Cross, 15 miles distant, and throughout the metropolis. The concussion was distinctly audible as far as Newmarket and Cambridge on the one hand (40 and 50 miles), and at Windsor and Guildford on the other.

"The explosions occurred in the Gunpowder Depot of Hall & Sons, and that of the Lowwood Cos.'s property (formerly Day & Barker's). Both almost simultaneously.

"The quantity exploded = 1,040 barrels or = 104,000 lbs. Of this, 75,000 lbs. were stored in the magazine of Messrs. Hall & Sons, 20,000 lbs. in their barges, which were being unloaded at the time; and 9,000 lbs. in the depot of the Lowwood Company.

"Their magazine at Belvedere was 40 x 30 feet—two floors—and about 65 yards from that of the Messrs. Hall. Both these were used solely for the storage of powder.

"The gunpowder is conveyed from the mills, at Faversham, in sailing barges; navigated usually by two men. Each two of these were discharging, and it is believed that the first explosion occurred on board one of the barges; that the concussion produced tore asunder the larger magazine, and that some burning fragments alighting in it caused the explosion, instantly followed by that of the smaller depot.

"Of

"Of the magazines themselves not a single stone remained one upon another; large fissures and chasms were torn in the earth, and immense lumps of soil scooped out and hurled about the adjacent fields.

"The barges with the adjacent jetty were split into fragments, and an enormous rent made in the embankment—exposing miles of country to the peril of inundation. This was by great exertion prevented, the tide being low at the time, otherwise the consequences must have been most serious.

"Hall & Sons' magazine was about 50 feet square—with two floors—and stood on 20 acres of ground. Thirteen men were killed."

(No. 2.)

Explosion of Blasting Powder, 16 November, 1865.

ON the 16th of November an explosion of blasting powder occurred on the Blue Mountains, about 2 miles from the "Weatherboard Inn" on the Bathurst side.

A dray driven by George Gamble, of Windsor, and loaded with two tons of blasting powder, packed in casks of 48 lbs. each, was proceeding along the high road, when from some unexplained cause the load exploded.

George Gamble was instantaneously killed, his body being blown a distance of 40 feet—no traces of the dray remained, and four out of six horses were killed.

The defective state of the casks, viz., the looseness of the hoops, had been noticed and complained of by the carriers upon its delivery at Mr. Watkins' store at Penrith. These complaints however met with little notice from the parties in charge, and the powder was sent forward without being properly secured.

There can be no doubt but that the leakage from the casks caused the explosion (*vide* evidence at an Inquiry held at the "Weatherboard Inn," Bathurst Road, on the 17th November, 1865, before Thomas Brown, Esquire, Coroner).

(No. 3.)

Explosion of Nitro-glycerine in Bridge-street, Sydney.

Cause—Spontaneous combustion. *Vide* Report of Board of Inquiry. Ordered by the Legislative Assembly to be printed, 20 March, 1866.

(No. 4.)

Explosion of Nitro-glycerine 6 miles from Carnarvon, Wales, 30 June, 1869.

Extract from the Annual Register for 1869.

A cargo of 4 tons of nitro-glycerine was forwarded from Hamburg to Messrs. de Winton & Co., for Messrs. Webb & Craig sole agents.

The ship was moored in the river Menai, a portion of the cargo was stored in the Llanddwyn Magazine, and the rest brought in lighters and placed on the quay at Carnarvon.

Two carts loaded from the latter place at 4 p.m. on the 30th June, when about 400 yards beyond the village of Cwm-y-glo, and 5½ miles from Carnarvon, a terrific explosion occurred, blowing the carts, men, and horses to atoms, raising clouds of dust, hurling stones to a great height, and throwing down the walls within a radius of 2 rods.

Four (4) men were killed and twelve injured at the spot where the explosion occurred; the ground was marked by two deep perfectly circular holes 7 feet 6 inches in diameter and 7 feet deep and a horse length apart.

The stones appeared to have been subjected to a fierce rotary motion, the holes being in the shape of inverted cones.

The damage from the concussion of the air extended fully 2 miles, and the shock was experienced more or less for many miles around.

(No. 5.)

Explosion of Gunpowder at Waltham Abbey, 16 June, 1870.

Extract from the Annual Register for 1870.

"Shortly before noon, an explosion occurred in the corning-house, at the Royal Gunpowder Works at Waltham Abbey, which stand in the centre of the village, near the Abbey. The shock was felt for miles around."

"From the fact of an underground magazine being directly under the corn-house, great apprehension was entertained of a further explosion of a still more fearful character, and at first people were afraid to render assistance to those who were wounded."

Four men were killed and eight seriously wounded.

No cause could be assigned.

(No. 6.)

Explosion of Gun-cotton at Stowmarket, 11 August, 1871.

Extract from the Annual Register for 1871.

"A terrible explosion or series of explosions took place at Stowmarket. It was believed that the precautions taken at the manufactory secured immunity from explosion. Experiments had been recently conducted by Government officials which, it was said, showed that gun-cotton cartridges, made and stowed away as they were, could not accidentally explode.

"The Messrs. Prentice, or rather the Limited Liability Company, were executing a large order for Government, and had as much as 15 tons of gun-cotton stored up." The number of persons employed was about 130; of these twenty-four were killed and missing, and seventy-two wounded.

"A dense column of smoke rose several hundred yards into the air, and spread out gradually into a fan-like shape; then there came a deafening roar, the explosion being felt in every corner of the town.

"Soon after the first explosion two of the Messrs. Prentice arrived, and collecting as many other persons as possible, they set to work to save such of the remaining buildings as were still standing, but which had taken fire. These sheds contained a number of boxes of cartridges, and though some warning voices were raised, Mr. E. Prentice continued to draw some of the boxes towards him, while his nephew assisted in pushing them farther from the flames. The result was that one of the boxes caught fire, and a second explosion followed which blew the two Messrs. Prentice to atoms, and completed the wreck of the premises."

On September 6th the Jury returned the following verdict:—"That the explosion causing the deaths of persons on whom the inquest was held, was produced by some person or persons unknown adding sulphuric acid to the gun-cotton subsequent to its passing the tests required by Government. At the same time we consider from the evidence adduced that there is no danger in the manufacture of gun-cotton in the wet process, but that the drying and storing of gun-cotton should not be allowed near a town. Also, we consider that gun-cotton works should be subject to constant Government inspection."

(No. 7.)

Explosion of Gunpowder at Hounslow, 6 September, 1872.

Extract from the Annual Register for 1872.

"At twenty-five minutes past 10 o'clock this morning, one of the most terrible explosions which has happened for several years occurred at the Gunpowder Works of Messrs. Curtis & Harvey, commonly called the Hounslow Mills, resulting in the loss of four lives.

"It appears that the composition mixing-house first blew up, followed in a few seconds by the press-house, both of which buildings were completely destroyed; but, strange to say, although the press-house had blown up, none of the powder that it contained went off; there was, it is said, from forty to fifty barrels on the floor of the building, and had it ignited, it is thought the loss of life would have been enormous, as in that case no doubt some of the mills and other stores would have been fired.

"The cause of the calamity is at present shrouded in mystery, and there is the usual difficulty in obtaining information from the officials in charge."

(No. 8.)

Explosion at Oare near Faversham, 1 January, 1874.

Extract from the Annual Register for 1874.

"On the 1st January, an explosion took place at the works recently erected at Oare, near Faversham, for the manufacture of Punshon's Patent Controllable Cotton Gunpowder. The accident occurred in the graining-house. The only person in the building at the time was a man named Hickford, who was very seriously injured. The building itself was demolished, and the granulating machine shattered to atoms. A remarkable circumstance, and one which shows the great strength of this explosive, is the fact that there was no more than five pounds of gun-cotton in the machine when it exploded."

(No. 9.)

Explosion of Gunpowder on the Regent's Canal, 2 October, 1874.

Extract from the Annual Register for 1874.

"THE explosion occurred shortly before 5 o'clock on the morning of the 2nd October. Five small 'fly barges' started from the City Basin in charge of a steam-tug. The middle boat, 'Tilbury,' being stored with four tons of blasting powder and six barrels of petroleum. Near the North Lodge Bridge the 'Tilbury' exploded, blowing it to atoms. The bridge (iron and brick) was destroyed, the debris choking up the stream. Three men on board were killed, and several men on the other barges wounded. For more than half a mile around, windows, venetian blinds, window sashes, and even furniture were broken. It put out the lamps at the King's Cross Railway Station, and shook the St. Pancras Station of the Midland Railway. It was severely felt at the goods station at Camden Town, breaking the windows; it also much damaged the glass houses in the tropical department of the Botanical Gardens.

"All property within a mile suffered more or less from the effects of the shock, and but for the two steep banks between which the explosion occurred the effects would have been much more disastrous.

"The wave movement of the air crossing Primrose Hill Park fell with a peculiar force on the north-eastern angle, near the Chalk Farm Tavern.

"Although 1,000 yards distant, only one shop in the Regent's Park Road escaped without some damage.

"It should be remarked that no restriction as to the lighting of fires on board these barges appears to have been in force.

"The Jury, after a long and patient investigation, considered: 'That the three men were killed by the explosion, and that this was caused through the ignition of the vapour of the benzeline on board the 'Tilbury' by the light or fire in the cabin of the barge. They added an opinion that the Canal Company were guilty of gross negligence in the matter, and that the existing laws were inadequate to secure the public safety.' 19th October, 1874.

(No. 10.)

Gun-cotton Explosion at the Royal Arsenal, Woolwich, 24 May, 1875.

Extract from "The Mail," London, 24 May, 1875.

"THE explosion occurred on Monday, at 4 p.m., in the so-called paper factory in the Royal Laboratory Department of the Arsenal.

"Three men were preparing a 7-inch Palliser shell—filling it with gun-cotton in a damp condition, and compressing it by hydraulic force.

"Hitherto it has been considered impossible to explode gun-cotton by mere ignition in the open air, and that smart detonation was required to fire it. It is not so well known, however, that when closely compressed and ignited it will, in the effort to find space, explode with terrific force."

"While being rammed home the shell (120 lbs. weight) exploded, pieces flying in all directions, killing one man and severely injuring two others, besides tearing the bars of the hydraulic machine asunder and injuring the building.

[Taken by J. H. L. Scott, Sec., Gunpowder Board.]

[One Plan.]

1875.

LEGISLATIVE ASSEMBLY.

NEW SOUTH WALES.

GUNPOWDER AND EXPLOSIVE SUBSTANCES LAW
CONSOLIDATION BILL.(MESSAGE No. 2.)

Ordered by the Legislative Assembly to be printed, 15 December, 1875.

HERCULES ROBINSON,
*Governor.**Message No. 2.*

In accordance with the 54th section of the Constitution Act, the Governor recommends for the consideration of the Legislative Assembly the expediency of making provision for the necessary expenses in connection with the amendment of the law regulating the importation, storage, and removal of Gunpowder and other explosive substances.

*Government House,
Sydney, 15 December, 1875.*

C.B.